

Massachusetts favoring pensions for life-savers—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBINSON of Indiana (by request): A joint resolution of the legislature of Idaho relative to the boundary between Idaho and Montana—to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DWIGHT: A bill (H. R. 17502) granting a pension to Warren Hughes—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CLAYTON: Petitions of retail druggists of Ozark, Geneva, Dothan, and Enterprise, Ala., asking for favorable action on the bill reducing the tax on alcohol—to the Committee on Ways and Means.

By Mr. DALZELL: Petition of the Woman's Civic Club of Turtle Creek, Pa., to prohibit liquor selling in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. DRAPER: Resolutions of the Department of New York, Grand Army of the Republic, urging the passage of House bill 14105, giving preference to honorably discharged war veterans in appointments—to the Committee on Reform in the Civil Service.

By Mr. GRIFFITH: Medical testimony to accompany House bill for increase of pension of William H. Lows—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Resolutions of J. M. Pond Post, No. 460, of Saugatuck; General I. C. Smith Post, No. 451, of Reed City, Department of Michigan, Grand Army of the Republic, in support of House bill 17103, permitting the payment of the value of public lands to persons entitled to make entry upon such lands in certain cases—to the Committee on the Public Lands.

By Mr. HAY: Resolutions of the Philadelphia Maritime Exchange, favoring a pension to Emily Lawrence Reed, widow of Walter Reed, late major and surgeon, United States Army—to the Committee on Pensions.

By Mr. MCANDREWS: Resolutions of Romania Lodge, No. 170, of Chicago, Ill., Order of B'rith Abraham, against the exclusion of Jewish immigrants at the port of New York—to the Committee on Immigration and Naturalization.

By Mr. METCALF: Resolutions of the Chamber of Commerce of San Francisco, Cal., favoring the immediate increase of the Navy in vessels, personnel, etc.—to the Committee on Naval Affairs.

By Mr. OTJEN: Resolutions of Cream City Lodge, No. 76, Order of Sons of Benjamin, Milwaukee, Wis., relative to immigration—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Resolutions of Merriam Post, No. 8, Grand Army of the Republic, of Meriden, Conn., favoring the passage of a service pension bill—to the Committee on Invalid Pensions.

By Mr. YOUNG: Resolutions of the Merchants' Association of the Port of New York, favoring the passage of the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

SENATE.

TUESDAY, February 24, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULBERSON, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. The Chair hears none, and the Journal is approved.

NEW YORK POST-OFFICE BUILDING.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting the report of the commission authorized by Congress to secure a grant for the erection of a post-office building in the city of New York, which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CLAIMS OF THE STATE OF VERMONT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, recommending that to enable the Secretary of the Treasury to pay the State of Vermont the sum appropriated to that State under the act of July 1, 1902, or such part thereof as it may be entitled to, the

accounting officers of the Treasury Department be authorized to audit, adjust, and settle the mutual claims of the United States and the State of Vermont in respect to ordnance and quartermaster stores furnished in the years 1864 and 1865, etc., which was referred to the Committee on Appropriations, and ordered to be printed.

THE ALASKAN BOUNDARY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State submitting a draft of a proposed appropriation of \$50,000, in view of the ratification of the treaty of January 24, 1903, for the purpose of meeting the expenses of the part the United States of the Joint Commission for the Adjustment of the Alaskan Boundary; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 16) to provide for the erection at Washington, D. C., of bronze equestrian statues to the memory of the late Brig. Gen. Count Casimir Pulaski and Baron Steuben.

The message also announced that the House had passed the joint resolution (S. R. 159) granting to New York and Jersey Railroad Company the right to construct and operate an underground railway under land owned by the United States in the city of New York.

The message further announced that the House had passed a bill (H. R. 17493) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the Merchants' Association of New York City, N. Y., praying for the ratification of the pending Hay-Bond Newfoundland reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented memorials of Cigar Makers' Local Union No. 119, of Dansville; of Cigar Makers' Local Union No. 149, of Brooklyn; of Cigar Makers' Local Union No. 7, of Utica, and of Cigar Makers' Local Union No. 210, of Rome, all of the American Federation of Labor, in the State of New York, remonstrating against the ratification of the pending Cuban reciprocity treaty; which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Mount Vernon, Tuckahoe, and New York City, all in the State of New York; of sundry citizens of Oshkosh, Wis.; of Norton, Kans.; of sundry citizens of Indianapolis, Ind., and of sundry citizens of Hazardville and South Norwalk, in the State of Connecticut, praying for the enactment of legislation to recognize and promote the efficiency of chaplains in the Army; which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Rochester, Buffalo, New York City, and Utica, all in the State of New York, praying for the establishment of a laboratory for the study of the criminal, pauper, and defective classes; which were ordered to lie on the table.

He also presented petitions of United Israel Lodge, No. 182, of New York City; of Samuel Lodge, No. 241, of Syracuse; of Abraham Lodge, No. 1, of New York City, and of Romener Lodge, No. 75, of New York City, all of the Order of B'rith Abraham, in the State of New York, praying for the enactment of legislation to modify the methods and practice pursued by the immigration officers at the port of New York; which were referred to the Committee on Immigration.

He also presented petitions of the Alliance Publishing Company, of New York City; of the Royal Pattern Company, of New York City; of Supreme Lodge, No. 1190, Order of Mutual Protection, of Odin; of the Original Five Points Mission, of New York City, and of the M. T. Richardson Company, of New York City, all in the State of New York, praying for the enactment of legislation providing a pound-rate postage on city magazines; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Union No. 96, of Stapleton; of Local Union No. 408, of Palmyra; of Local Union No. 425, of Utica, and of Local Union No. 124, of Fort Edward, all of the American Federation of Labor, in the State of New York, and of Local Union No. 454, of New London, Conn., praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented petitions of R. Whalen & Co., of Rochester; of the Retail Cigar and Tobacco Dealers' Association, of New York City, and of L. T. Dick, of Elmira, all in the State of New

York, praying for the enactment of legislation to prohibit the return of any part of any internal-revenue package of tobacco, snuff, cigars, or cigarettes to any person, firm, or corporation; which were referred to the Committee on Finance.

Mr. KITTREDGE (for Mr. SCOTT) presented a petition of Stony Ridge Lodge, No. 332, International Association of Machinists, of Bluefield, W. Va., and a petition of C. L. Engel, of the Second Congressional district of West Virginia, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also (for Mr. SCOTT) presented petitions of sundry citizens of Charleston, Salem, Parkersburg, Buckhannon, Wellsburg, Martinsburg, Fairmont, Charlestown, Alderson, Barboursville, Ravenswood, and Academy, all in the State of West Virginia, praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which were referred to the Committee on Interstate Commerce.

Mr. DRYDEN presented a petition of the Naval Reserve of New Jersey, of Hoboken, N. J., praying for the enactment of legislation defining the relations of the State naval forces to the General Government, and also for the organization of a Federal naval reserve; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Campbell Tobacco Company, of Newark, N. J., and a petition of the Essex Trades Council, American Federation of Labor, of Newark, N. J., praying for the enactment of legislation to prohibit the giving of presents, coupons, or promises of gifts with cigars and tobaccos; which were referred to the Committee on Finance.

He also presented the petition of A. C. Mitchell & Co., of Atlantic City, N. J., and the petition of B. H. Warren, of Westchester, Pa., praying for the adoption of an amendment to the sundry civil appropriation bill relative to inlet improvement for Atlantic City, N. J.; which were referred to the Committee on Commerce.

He also presented memorials of the Boonton Improvement Society, of Boonton; of the Society for the Prevention of Cruelty to Animals of Princeton, in the State of New Jersey; and of the Woman's Municipal League of New York City, N. Y., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which were referred to the Committee on Interstate Commerce.

He also presented a memorial of Coopers' Local Union No. 134, American Federation of Labor, of Newark, N. J., and a memorial of Coopers' Local Union No. 40, American Federation of Labor, of Hoboken, N. J., remonstrating against the repeal of the revenue stamp tax on eighth kegs of beer; which were referred to the Committee on Finance.

He also presented petitions of Mrs. Maggie Ingersoll, of Atlantic City; of A. B. Simerson, of Delaware; and of the Woman's Christian Temperance Union of Somerville, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of C. E. Cowell, of Orange; of Rev. George G. Vogel, of Jersey City; of Rev. J. B. Galloway, of Paterson; of D. C. Johnson, of Atlantic City; of Rev. Hedding Bishop Leech, of Hackensack, and of Rev. W. C. Snodgrass, of Plainfield, all in the State of New Jersey, praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which were referred to the Committee on Interstate Commerce.

He also presented a memorial of the Christian Feigenspan Company, of Newark, N. J., remonstrating against the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which was referred to the Committee on Interstate Commerce.

He also presented the memorial of Rev. Robert Robinson, of New Gretna, N. J., remonstrating against the repeal of the present anticanteen law; which was referred to the Committee on Military Affairs.

He also presented the memorial of Edward Weston, of Newark, N. J., and a memorial of the Trenton Fire Clay and Porcelain Company, of Trenton, N. J., remonstrating against the passage of the so-called eight-hour bill; which were ordered to lie on the table.

He also presented petitions of Local Union No. 49, of Trenton; of Local Union No. 50, of Camden, and of Local Union No. 4, of Trenton, all of the American Federation of Labor, in the State of New Jersey, praying for the passage of the so-called eight-hour bill; which were ordered to lie on the table.

Mr. FOSTER of Washington presented the memorial of Andrew Hemrich, of Seattle, Wash., remonstrating against the enactment of legislation granting to the States power to deal with

intoxicating liquors which may be shipped into their territory from other States; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Montesano, Wash., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in immigrant stations and Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of D. W. Lyman, of Green Lake; of R. C. Ely, of Seattle, and of sundry citizens, all in the State of Washington, praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which were referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of the congregation of the First Presbyterian Church of Springfield, Mass., praying for the enactment of legislation to provide an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of the congregation of the First Presbyterian Church of Springfield, Mass., and a petition of 19 citizens of Massachusetts, praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which were referred to the Committee on Interstate Commerce.

Mr. FAIRBANKS presented a memorial of the Woman's Club of Elkhart, Ind., remonstrating against the enactment of legislation relative to the interstate transportation of live stock; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Roche Brothers, of Mount Vernon, Ind., praying for the enactment of legislation to amend the internal-revenue laws so as to reduce the tax on distilled spirits; which was ordered to lie on the table.

He also presented a memorial of Coopers' Local Union No. 42, of Evansville, Ind., and a memorial of Coopers' Local Union No. 25, of Indianapolis, Ind., remonstrating against the enactment of legislation to prohibit the issuance of revenue stamps on beer in eighth; which were referred to the Committee on Finance.

He also presented a petition of the Evansville Courier Company, of Evansville, Ind., praying for the passage of the so-called post-check currency bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Lodge No. 447, Brotherhood of Locomotive Firemen, of Indianapolis, Ind., praying for the passage of the so-called anti-injunction bill; which was ordered to lie on the table.

He also presented a petition of the Christian Endeavor Society of the Christian Church of Arcola, Ind., and a petition of the M. Henoch Company, of Laporte, Ind., praying for the enactment of legislation granting to the States power to deal with intoxicating liquors which may be shipped into their territory from other States; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Cigar Makers' Local Union No. 134, of Laporte; of Cigar Makers' Local Union No. 214, of Bluffton, and of the Hampton Tobacco Company, of Newberg, all in the State of Indiana, praying for the enactment of legislation to prohibit the giving of presents, coupons, or promises of gifts with cigars and tobacco; which were referred to the Committee on Finance.

He also presented petitions of Journeymen Barbers' Local Union No. 55, of Anderson; of Local Union No. 277, United Mine Workers, of Turner; of Lodge No. 511, International Association of Machinists, of Indianapolis, and of Lodge No. 543, International Association of Machinists, of Princeton, all in the State of Indiana, praying for the passage of the eight-hour bill; which were ordered to lie on the table.

Mr. FRYE presented a petition of the Department of New York, Grand Army of the Republic, of Albany, N. Y., praying for the enactment of legislation giving preference in the civil service to war veterans; which was referred to the Committee on Civil Service and Retrenchment.

He also presented the petition of Franklin P. White and 31 other citizens of Brunswick County, N. C., praying that an appropriation be made for the improvement of the Shallotte River, in that State; which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. McLAURIN of Mississippi, from the Committee on Public Lands, to whom was referred the bill (S. 6235) in aid of the common schools of Mississippi, reported it with amendments, and submitted a report thereon.

Mr. FAIRBANKS, from the Committee on the Judiciary, to whom was referred the bill (H. R. 109) to amend section 7 of "An act to establish circuit courts of appeal and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891,

as amended by act approved February 18, 1895, and further amended by act approved June 6, 1900, reported it with amendments.

Mr. PRITCHARD, from the Committee on Patents, to whom was referred the bill (H. R. 17085) to effectuate the provisions of the additional act of the international convention for the protection of industrial property, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 304) granting an increase of pension to George M. Duffy;

A bill (H. R. 11682) granting a pension to Mary E. Winterbottom;

A bill (H. R. 11833) granting an increase of pension to Albanis L. Anderson;

A bill (H. R. 16314) granting an increase of pension to Richard S. Howarth; and

A bill (H. R. 16939) granting an increase of pension to Alexander T. Sullinger, alias Alexander Patillo.

Mr. WETMORE, from the Committee on the Library, to whom was referred the joint resolution (S. R. 162) for the erection of a monument to the memory of John Paul Jones, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the joint resolution (S. R. 48) for the erection of a monument to the memory of John Paul Jones, submitted an adverse report thereon, which was agreed to; and the joint resolution was postponed indefinitely.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16756) granting an increase of pension to John Brown; and

A bill (H. R. 12322) granting an increase of pension to William F. Wilcox.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 4784) granting a pension to Deborah J. Fogle, reported it without amendment, and submitted a report thereon.

Mr. ALDRICH, from the Committee on Finance, reported an amendment proposing to appropriate \$100,000 to enable the President to cooperate through diplomatic channels, or by the appointment of a commission, or both, with the Governments of Mexico, China, and other countries, for the purpose set forth in the message of the President and accompanying notes submitted to Congress January 29, 1903, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. DIETRICH, from the Committee on Public Lands, to whom was referred the bill (S. 7114) for the relief of John T. Wertz and Walter H. Shupe, reported it without amendment, and submitted a report thereon.

Mr. BARD, from the Committee on Public Lands, to whom was referred the bill (S. 6491) for the relief of H. Gibbs Morgan and other coowners of Cat Island, in the Gulf of Mexico, reported it without amendment, and submitted a report thereon.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the amendment submitted by Mr. PENROSE on the 18th instant, proposing to appropriate \$74.40 to pay Sidney L. Griffin for leave of absence earned during term of services at the Government Printing Office from December 7, 1891, to May 19, 1894, intended to be proposed to the general deficiency appropriation bill, reported it with an amendment, and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 16069) authorizing the Secretary of the Interior to sell certain lands therein mentioned; and

A bill (H. R. 16946) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the amendment submitted by himself on the 12th instant, proposing to appropriate \$152.45 for salary due A. E. Rose as receiver of the land office at St. Michael, Alaska, from May 31 to July 7, 1902, reported favorably thereon, and moved that it be printed and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. FOSTER of Louisiana submitted a report to accompany the bill (S. 1133) for the relief of the Citizens' Bank of Louisiana, heretofore reported by him.

Mr. TALIAFERRO (for Mr. TURNER), from the Committee on

Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 17101) granting an increase of pension to Joanna Glazer;

A bill (H. R. 16048) granting an increase of pension to John Graham;

A bill (H. R. 15619) granting an increase of pension to Charles Strong, alias William Clark;

A bill (H. R. 13713) granting an increase of pension to Rebecca Randolph; and

A bill (H. R. 4155) granting an increase of pension to Eliza Wende.

Mr. TALIAFERRO (for Mr. TURNER), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 4154) granting an increase of pension to Murray W. Woodward; and

A bill (H. R. 15768) granting an increase of pension to William J. Jubb.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 17202) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes, to report it with sundry amendments, and to submit a report thereon.

I give notice that on to-morrow, if the situation of business will justify it, I shall ask the Senate to take up this bill for consideration.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

COURTS IN TEXAS.

Mr. CULBERSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 17088) to create a new division of the eastern judicial district of Texas, to report it favorably with amendments. It is a short court bill, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the Committee on the Judiciary were, in section 1, line 3, after the word "Bowie," to strike out the word "Morris;" and in section 3, page 1, line 12, after the word "Bowie," to strike out the word "Morris."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DOCUMENTS IN FOLDING ROOM.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the Sergeant-at-Arms of the Senate, under the direction of the Committee on Printing of the Senate, be, and he hereby is, directed to cause an inventory to be made of all public documents stored in the Senate folding room, and an abstract of the records of the folding room, showing the documents to the credit of each Senator; and if upon the making of said inventory and abstract there is shown to be a surplus in excess of those to the credit of Senators such documents as are valuable for distribution shall be put to the credit of Senators of the Fifty-eighth Congress, and such of the surplus as he may desire to be turned over to the superintendent of documents of the Government Printing Office for distribution, those remaining after the distribution to Senators and the superintendent of documents that are useless to be condemned and sold as waste paper and the proceeds thereof covered into the Treasury.

ORATION ON THE LATE PRESIDENT M'KINLEY.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in the form of eulogies 24,000 copies of the oration delivered by the Hon. John Hay in the Hall of the House of Representatives during the exercises in memory of the late President McKinley on February 27, 1902: 16,000 for the use of the House of Representatives and 8,000 for the use of the Senate.

BANKRUPTCY LAWS.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the following concurrent resolution from the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound together in paper 30,000 copies of the following documents, namely: United States Bankrupt Law of 1898, uniform system, with marginal notes and index; General Orders and Forms in Bankruptcy, adopted and established by the Supreme Court of the United States November 23, 1898, and Public Law No. 62, for the amendment of the Bankruptcy Law, passed by the Fifty-seventh Congress, second session, January 23, 1903, of which 10,000 copies shall be for the use of the Senate and 20,000 copies for the use of the House.

TREATIES, LAWS, ETC., RELATING TO INDIAN AFFAIRS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution reported from the Committee on Indian Affairs by the Senator from Nevada [Mr. STEWART], to report it favorably with amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 1,500 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., Relating to Indian Affairs," 100 of which shall be for the use of the Senate, 400 for the House of Representatives, 100 for the Commissioner of Indian Affairs, and the remaining 900 shall be sold by the Superintendent of Documents.

The amendments of the Committee on Printing were, after the words "Indian Affairs," in line 6, to insert "fifty of which shall be for the use of the Senate Committee on Indian Affairs, and fifty for the use of the House Committee on Indian Affairs;" in the same line, after the words "one hundred," to strike out the words "of which shall be;" and in line 9, to strike out "nine," before "hundred," and insert "eight."

The amendments were agreed to.

Mr. COCKRELL. Now let the concurrent resolution be read the way it will stand with the amendments agreed to.

The Secretary read the concurrent resolution as amended as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 1,500 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., relating to Indian Affairs," 50 of which shall be for the use of the Senate Committee on Indian Affairs, 50 for the use of the House Committee on Indian Affairs, 100 for the use of the Senate, 400 for the House of Representatives, 100 for the Commissioner of Indian Affairs, and the remaining 800 shall be sold by the Superintendent of Documents.

Mr. COCKRELL. I do not know why this document should be sold in preference to all others. Each Senator will get only one copy of it.

Mr. PLATT of New York. The chairman of the Committee on Indian Affairs presented it in that shape.

Mr. COCKRELL. There are a great many Indians out in the Western country, and—

Mr. PLATT of Connecticut. It is perfectly apparent that this document can be sold. There are a great many inquiries for it from people who are engaged in practice with regard to Indian matters, and it is going to be a somewhat expensive document.

Mr. COCKRELL. Does the Senator say it is to be an expensive document?

Mr. PLATT of Connecticut. It is rather an expensive document, and we felt that if enough copies were provided so that each Senator and each Member could have one, it was quite proper that individuals who desire it outside of Congress should pay for it.

Mr. COCKRELL. Now, what will it contain? The Senator is familiar with it. I do not see anything that would make it any more expensive than the volume we published containing the treaties with foreign nations.

Mr. PLATT of Connecticut. Of course it is not so very expensive, but it is in two volumes. We sell our Revised Statutes; we do not distribute them. It consists of treaties, statutes, decisions, and rules of practice, and we thought we might assimilate it to our Revised Statutes, and if people want copies let them pay for them.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution as amended.

The concurrent resolution as amended was agreed to.

PROPOSED PENSIONS TO FREEDMEN.

Mr. GALLINGER. During the first session of the Fifty-sixth Congress I made an adverse report upon a bill which proposed pensions to the freedmen of the country. During the past few days there have been a great many calls for this report. In one instance I have had a call for 500 copies. I ask unanimous consent that a thousand copies of the report be printed for the use of the Senate.

The PRESIDENT pro tempore. The Chair hears no objection, and the order will be made.

COMMITTEE ON PUBLIC LANDS.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. HANSBROUGH on the 31st ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Lands be, and it is hereby, authorized to employ an assistant clerk at an annual salary of \$1,200, to be paid from the contingent fund of the Senate until otherwise provided for by law.

COMMITTEE ON INTERSTATE COMMERCE.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported the fol-

lowing resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Interstate Commerce be, and it is hereby, authorized to employ a messenger, to be paid from the miscellaneous items of the contingent fund of the Senate, at the rate of \$1,440 per annum until otherwise provided for by law.

THOMAS JEFFERSON MEMORIAL ASSOCIATION.

Mr. DANIEL. I am instructed by the Committee on Finance, to whom was referred the bill (S. 7307) to provide certain souvenir medallions for the benefit of the Thomas Jefferson Memorial Association of the United States, to report it favorably without amendment, and I ask that it may be put on its passage.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. DANIEL subsequently said: I ask that the letter which I hold in my hand from the Secretary of the Treasury may be printed in the RECORD in connection with the motion I made this morning in regard to the passage of the bill respecting the Jefferson souvenir medallion.

The PRESIDENT pro tempore. The Senator from Virginia asks that the letter which he sends to the desk be printed in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

The letter referred to is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 24, 1903.

HON. NELSON W. ALDRICH,

Chairman Committee on Finance, United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of the 21st instant, inclosing Senate bill No. 7307, entitled "A bill to provide certain souvenir medallions for the benefit of the Thomas Jefferson Memorial Association of the United States," for report.

In reply it is respectfully stated that should Congress enact into a law the bill inclosed, the necessary dies could be engraved, and the souvenir medallions authorized struck from time to time, as required, by the mint at Philadelphia.

The Department sees no objection to the passage of the bill.

Respectfully,

L. M. SHAW, Secretary.

INVESTIGATION BY COMMITTEE ON FINANCE.

Mr. ALDRICH, from the Committee on Finance, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance be, and they are hereby, authorized and directed, by subcommittee or otherwise, to make an investigation of internal-revenue, customs, currency and coinage matters, and to report from time to time to the Senate the result thereof; and for this purpose they are authorized to sit, by subcommittee or otherwise, during the recess or sessions of the Senate, at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, and to employ such stenographic, clerical, and other assistance as may be necessary, the expense of such investigation to be paid from the contingent fund of the Senate.

BILLS INTRODUCED.

Mr. KITTREDGE (for Mr. SCOTT) introduced a bill (S. 7415) for the relief of the heirs of William A. Gum; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 7416) granting a pension to William Berkheimer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 7417) for the relief of B. Jackman; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 7418) for the relief of the Florence Masonic Lodge, of Florence, Ala.;

A bill (S. 7419) for the relief of the Washington Lodge of Free and Accepted Masons, No. 36, of Tuscumbia, Colbert County, Ala.; and

A bill (S. 7420) for the relief of the Cumberland Presbyterian Church, of Bellefonte, Ala.

Mr. HANSBROUGH introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 7421) granting an increase of pension to Samuel A. Dickey; and

A bill (S. 7422) granting an increase of pension to Homer D. Wells.

Mr. TELLER introduced a bill (S. 7423) granting an increase of pension to William Q. Haworth; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. KEAN introduced a bill (S. 7424) for the relief of Albert L. Scott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. FOSTER of Washington introduced a bill (S. 7425) authorizing and empowering the Secretary of War to locate a right of way for and granting the same, and a right to operate and maintain a line of railroad through the Vancouver Barracks and Military Reservation, in the State of Washington, to the Northern Pacific Railway Company; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ELKINS introduced a bill (S. 7426) to amend section 2502 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 7427) to incorporate the National Hay Association of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate \$3,347.25 to reimburse the Washington Market Company for furnishing and putting in place 1,072 lockers in the new armory quarters over Center Market for the service of the fiscal year 1898, and to reimburse said company for extraordinary repairs to quarters vacated by the National Guard of the District of Columbia after being used for armory purposes, for the service of the fiscal year 1895, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$153,520.82 to pay the several claimants as stated in Statement A in the report of the Secretary of the Treasury under date of February 17, 1897, on account of internal-revenue taxes illegally collected from owners of private dies, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate \$500 to pay Dennis M. Kerr for services as assistant clerk, by detail, to the Committee on Pensions, and proposing to appropriate \$500 to pay John H. Walker for extra services rendered the Committee on Pensions, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$18,500 for payment of certain Treasury settlements heretofore certified to Congress by the Secretary of the Treasury, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to increase the salary of one professor of French and one professor of English at the Naval Academy at Annapolis, Md., from \$2,200 each to \$2,500 each, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. FORAKER submitted an amendment proposing to appropriate \$10,000 to enable the President to carry out the provisions of article 9 of the concurrent regulations adopted by the tribunal of arbitration constituted under the treaty concluded at Washington, February 29, 1892, between the United States of America, and the Government of Great Britain, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$55,000 for the construction of a wharf at United States quarantine station, Honolulu, Hawaii, \$10,000 for a runway to connect the wharf with the island, \$10,000 for a retaining wall around the island, and \$5,000 for a laundry plant, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MALLORY submitted an amendment proposing to appropriate \$120,000 for the erection of a building for the Bureau of Equipment at the navy-yard, Pensacola, Fla., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. HANNA submitted an amendment proposing to appropriate \$1,000 to pay the superintendent of insurance of the District of Columbia, being the balance of his salary due him from July 1, 1902, to June 30, 1903, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PLATT of New York submitted an amendment proposing to appropriate \$2,000,000 for the purchase of a site for a post-office building in the city of New York, on the west side of Eighth avenue, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. WARREN submitted an amendment proposing to increase the salary of the disbursing clerk of the Department of Justice

from \$2,300 to \$2,750, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment providing for the appointment of a commission to select a site within the city of Washington, D. C., for the erection thereon of a building for a hall of records, etc., intended to be proposed by him to the sundry civil appropriation bill; which was ordered to lie on the table and be printed.

Mr. BATE submitted an amendment proposing to appropriate \$50,000 for payment of claims filed with the Quartermaster-General, under the act of February 27, 1902, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$50,000 for payment of claims filed with the Quartermaster-General, under the act of February 27, 1902, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PAYMENT OF CLAIMS.

Mr. LODGE submitted two amendments intended to be proposed by him to the bill (S. 7142) for the allowance of certain claims reported by the Court of Claims, and for other purposes; which were referred to the Committee on Claims, and ordered to be printed.

POSTAL RATE ON PERIODICALS.

Mr. MASON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Postmaster-General be requested to furnish as soon as may be possible, and as near as may be, an estimate of the effect on the revenues of the Post-Office Department, in case of the adoption of the amendment giving all periodicals same rate and terms as that now given weekly periodicals.

MANUFACTURING PLANTS IN INDIAN TERRITORY.

On motion of Mr. JONES of Arkansas, it was

Ordered, That the Secretary be directed to return to the House of Representatives the enrolled bill (S. 5718) providing for the sale of sites for manufacturing or industrial plants in the Indian Territory, with the request that the House of Representatives vacate the action of the Speaker in signing the said enrolled bill and return the same and the message of the Senate agreeing to the amendment of the House to said bill to the Senate.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14050) to amend an act to regulate the height of buildings in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, and 4, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to amendment numbered 2, and agree to the same with an amendment as follows: In section 4, in line 4, after the words "in its front," add "but where the site of a proposed building confronts a public space or reservation formed at the intersection of two or more streets or avenues, and the course of said streets or avenues is not interrupted by said public space or reservation, the allowable height of the building will be determined by the width of the widest street or avenue;" and the Senate agree to the same.

J. H. GALLINGER,
THOMAS S. MARTIN,
Managers on the part of the Senate.

J. W. BABCOCK,
SYDNEY E. MUDD,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

FRANCIS A. TRADEWELL.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 16161) granting an increase of pension to Francis A. Tradewell, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to an amendment as follows:

In lieu of the sum proposed by the Senate, insert "sixteen;" and the Senate agree to the same.

P. J. McCUMBER,
J. C. PRITCHARD,
JAMES P. TALIAFERRO,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
WILLIAM RICHARDSON,
Managers on the part of the House.

The report was agreed to.

HOUSE BILL REFERRED.

The bill (H. R. 17493) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

LOUISIANA PURCHASE EXPOSITION.

The PRESIDENT pro tempore. The Chair lays before the Senate a concurrent resolution from the House of Representatives, and calls the attention of the Senator from New Hampshire [Mr. BURNHAM] to it.

Mr. DUBOIS. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Idaho will state it.

Mr. DUBOIS. I should like to know the status of the resolution which I introduced.

The PRESIDENT pro tempore. It is on the table, and has not yet been reached. The Secretary will read the concurrent resolution from the House of Representatives.

The Secretary read as follows:

Resolved by the House of Representatives (the Senate concurring). That the invitation extended to the Congress of the United States by the National Commission of the Louisiana Purchase Exposition and by the Louisiana Purchase Exposition Company to attend the dedicatory ceremonies of the Louisiana Purchase Exposition, to be held at St. Louis, Mo., April 30 and May 1 and 2, 1903, be, and is hereby, accepted.

That the President pro tempore of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized and directed to appoint a committee to consist of 7 Senators and 11 Representatives elected to the Fifty-eighth Congress, to attend the dedicatory ceremonies referred to, and to represent the Congress of the United States on the occasion of the celebration of the one hundredth anniversary of the purchase of the Territory of Louisiana at St. Louis, Mo., April 30 and May 1 and 2, 1903.

Mr. BURNHAM. By direction of the Committee on Industrial Expositions, I move that the Senate concur in the resolution.

Mr. BURTON. Mr. President, I think it would be well to increase the number of the committee, and I will, therefore, move as an amendment that there be 10 Senators and 15 Members of the House.

The PRESIDENT pro tempore. The Senator from Kansas proposes an amendment, which will be stated.

The SECRETARY. Strike out "seven," where it appears before the word "Senators" and insert "ten," and strike out "eleven" where it appears before the word "Representatives" and insert "fifteen."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. BURNHAM. I do not object to the amendment.

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

STATEHOOD BILL.

The PRESIDENT pro tempore. The Chair lays before the Senate two resolutions coming over by unanimous consent from a previous day, the one offered by the Senator from Idaho [Mr. DUBOIS] to follow the one offered by the Senator from Pennsylvania [Mr. QUAY]. The resolution offered by the Senator from Pennsylvania will be read.

The Secretary read the resolution submitted by Mr. QUAY on the 18th instant, as follows:

Whereas House bill 12543, to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States has been under discussion in the Senate since the 10th day of December last, and must fail unless voted upon at an early date:

Resolved, That it is the sense of the Senate that by unanimous consent a date and hour prior to the 2d of March next should be fixed for a final vote upon the bill and all amendments that are pending or may be offered thereto.

Mr. QUAY. Mr. President, the occasion for the resolution offered by the Senator from Pennsylvania has passed, but when it was last before the Senate a rule was added, upon the motion of some Senator whose identity I can not just now remember, for a cloture, upon which it was understood the sense of the Senate was to be taken. Now, I would be very glad, if it is the disposition of Senators, to make a test of the sense of the Senate upon the cloture question.

Mr. QUARLES. I can not hear a word the Senator is saying.

Mr. QUAY. I would be very glad to have the sense of the Senate tested on cloture by a yea-and-nay vote upon that rule, for future reference. The parliamentary status, I think, of the resolution is that the pending question is upon the rule which was offered as an amendment.

Mr. ALDRICH. Mr. President, I think the question is upon the reference of the resolution to the Committee on Rules; at least that will be the question as soon as I am able to get the floor to make the motion, if it has not already been made.

Mr. QUAY. Then the Senator from Rhode Island is not willing to take a vote on the rule of cloture?

Mr. ALDRICH. I think the Committee on Rules had better consider all these propositions first. That is the orderly method of procedure in the Senate.

Mr. QUAY. If the Senators who were so vociferous the other day in opposition to a cloture rule are not disposed to go on record, I have no objection to the reference of the resolution.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Rules.

ELMER E. FORESHAY.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. DUBOIS on the 16th instant, as follows:

Resolved by the Senate of the United States of America in Congress assembled. That the Civil Service Commission is hereby directed to furnish to the United States Senate a statement of the charges and evidence on account of which Elmer E. Foreshay was dismissed from the surveyor-general's office of Idaho.

Also, whether under the ruling of the civil service he is eligible to any other position in the Government service.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. SPOONER. I hope the Senator from Idaho will permit the resolution to go over until to-morrow. I have a communication upon the subject from the Civil Service Commission, and it is at my house. I should like to present it before the resolution is acted upon.

Mr. DUBOIS. Very well, Mr. President. I would be exceedingly glad to see a communication from the Civil Service Commission on the subject. Let the resolution go over without prejudice.

The PRESIDENT pro tempore. The Senator from Idaho asks that the resolution may lie on the table without losing its place. The Chair hears no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I move that the Senate proceed to the consideration of the bill (H. R. 16910) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. PROCTOR. I ask unanimous consent that the formal reading of the bill be dispensed with, and that the committee amendments be considered on the reading of the bill.

The PRESIDENT pro tempore. The Senator from Vermont asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROCTOR. I ask that the first amendment be passed over.

The PRESIDENT pro tempore. The Senator from Vermont asks that the first amendment proposed by the committee be passed over. The Chair hears no objection.

Mr. PROCTOR. Let the reading commence on page 46.

The PRESIDENT pro tempore. The Secretary will commence the reading on page 46.

The Secretary proceeded to read the bill at line 13 on page 46.

The next amendment of the Committee on Agriculture and Forestry was, under the head of "Department of Agriculture," on page 46, line 24, to increase the appropriation for the salary of the private secretary to the Secretary of Agriculture from \$2,250 to \$2,500; and on page 48, line 2, to increase the total for the salaries of employees in the office of the Secretary of Agriculture from \$69,450 to \$69,700.

The amendment was agreed to.

The next amendment was, on page 48, line 14, to increase the total appropriation for office of the Secretary of Agriculture from \$74,410 to \$74,660.

The amendment was agreed to.

The next amendment was, under the head of "Weather Bureau," on page 49, line 18, after the word "dollars," to strike out "two skilled mechanics, at" and insert "one skilled mechanic;" in line 20, after the word "dollars," to strike out "each \$2,400; three" and insert "five;" in line 21, before the word "thousand," to strike out "three" and insert "five;" in line 24, before the word "skilled," to strike out "seven" and insert "six;" in line 25, after the word "thousand," to strike out "eight hundred;" on page 50, line 1, before the word "dollars," to strike out "eighty" and insert "forty;" in line 12, after the word "messengers," to insert "messenger boys;" and in line 17, before the word "dollars," to strike out "eighty" and insert "forty;" so as to make the clause read:

Salaries, Weather Bureau: Office of Chief of Weather Bureau: One Chief of Bureau, \$5,000; 1 Assistant Chief of Bureau, \$3,000; 3 professors of meteorology, at \$3,000 each, for duty in the city of Washington or elsewhere, as the needs of the Bureau may demand, \$9,000; 2 professors of meteorology, at \$2,500 each, for duty in the city of Washington or elsewhere, as the needs of the Bureau may demand, \$5,000; 2 district forecasters, at \$2,000 each, for duty in the city of Washington or elsewhere, as the needs of the Bureau may demand, \$4,000; 1 chief clerk, \$2,250; 4 chiefs of division, at \$2,000 each, \$8,000; 1 librarian and climatologist, \$2,000; 4 clerks of class 4, \$720; 1 chief of division of supplies, \$1,800; 6 clerks of class 3, \$9,600; 17 clerks of class 2, \$23,800; 24 clerks of class 1, \$28,800; 15 clerks, at \$1,000 each, \$15,000; 7 clerks, at \$800 each, \$5,600; 4 copyists or typewriters, at \$840 each, \$3,360; 1 copyist or typewriter, \$720; 1

chief mechanic, \$1,400; 1 skilled mechanic, \$1,200; 5 skilled mechanics, at \$1,000 each, \$5,000; 1 engineer, \$1,200; 1 captain of the watch, \$1,000; 1 batteryman, \$840; 6 skilled artisans, at \$840 each, \$5,040; 5 messengers or laborers, at \$720 each, \$3,600; 3 firemen, at \$720 each, \$2,160; 3 watchmen, at \$720 each, \$2,160; 6 messengers or laborers, at \$600 each, \$3,600; 13 messengers or laborers, at \$300 each, \$3,900; 4 messengers or laborers, at \$480 each, \$1,920; 5 messengers, messenger boys or laborers, at \$450 each, \$2,250; 1 charwoman, \$360; 3 charwomen, at \$240 each, \$720; in all, \$175,440.

The amendment was agreed to.

The next amendment was, on page 51, line 9, before the word "district," to insert "inspectors;" in line 10, before the word "local," to strike out "inspectors," and in line 19, before the word "thousand," to strike out "seventy-two" and insert "seventy-four;" so as to make the clause read:

Salaries, Weather Bureau: Outside of the city of Washington: Professors of meteorology, inspectors, district forecasters, local forecasters, section directors, observers, assistant observers, operators, repairmen, station agents, messengers, messenger boys, laborers, and other necessary employees, for duty in the United States, in the West Indies or on adjacent coasts, in the Hawaiian Islands, and in Bermuda, who, without additional expense to the Government, may hereafter, in the discretion of the Secretary of Agriculture, be granted leaves of absence not to exceed thirty days in any one year, \$474,300.

The amendment was agreed to.

The next amendment was, on page 52, line 22, to increase the appropriation for general expenses of the Weather Bureau from \$496,780 to \$499,780.

The amendment was agreed to.

The next amendment was, on page 53, line 10, after the word "buildings," to insert "or grounds;" so as to make the clause read:

Buildings, Weather Bureau: For the purchase of sites and the erection of not less than five buildings for use as Weather Bureau observatories, and for all necessary labor, materials, and expenses, plans and specifications to be prepared and approved by the Secretary of Agriculture, and work done under the supervision of the Chief of the Weather Bureau, including the purchase of instruments, furniture, supplies, flagstaffs, and storm-warning towers to properly equip these stations: *Provided*, That if any of the money for these several buildings remains unexpended for the special purposes for which it is appropriated, so much of it as is necessary may be expended for the repair, improvement, and equipment of any other buildings or grounds owned by the Government and occupied by the Weather Bureau, \$50,000.

The amendment was agreed to.

The next amendment was, on page 53, line 24, to increase the total appropriation for the Weather Bureau from \$1,248,560 to \$1,253,520.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Animal Industry," on page 54, line 14, to increase the appropriation for the salary of 1 chief of biochemic division from \$2,500 to \$2,750; in line 16, to increase the appropriation for the salary of 1 assistant in biochemic division from \$1,800 to \$2,000; and on page 55, line 19, to increase the total appropriation for salaries of the Bureau of Animal Industry from \$87,380 to \$87,830.

The amendment was agreed to.

The next amendment was, on page 56, line 18, to increase the appropriation for inspection of meats and animals, etc., from \$1,200,000 to \$1,250,000.

The amendment was agreed to.

The next amendment was, on page 59, line 3, to increase the total appropriation for the maintenance of the Bureau of Animal Industry from \$1,287,380 to \$1,337,830.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Plant Industry," on page 59, line 9, after the word "pathologist," to strike out "who shall be Chief of Bureau in absence of Chief;" in line 18, after the word "dollars," to insert "one clerk class four, \$1,800;" in line 19, before the word "clerks," to strike out "four" and insert "three;" in line 20, before the word "hundred," to strike out "six thousand four" and insert "four thousand eight;" and on page 60, line 2, to increase the total appropriation for salaries of employees in the Bureau of Plant Industry from \$62,730 to \$62,930; so as to make the clause read:

Bureau of Plant Industry, salaries: One plant physiologist and pathologist, who shall be Chief of Bureau, \$4,000; 1 plant physiologist and pathologist, \$2,750; 1 botanist, \$2,500; 1 pomologist, \$2,500; 1 agrostologist, \$2,500; 1 assistant pathologist, \$1,800; 1 assistant botanist, \$1,800; 1 assistant pomologist, \$1,800; 1 assistant agrostologist, \$1,800; 1 chief clerk, \$2,000; 1 clerk class 4, \$1,800; 3 clerks class 3, \$4,800; 9 clerks class 2, \$12,600; 9 clerks class 1, \$10,800; 6 clerks, at \$1,000 each, \$6,000; 2 clerks, at \$900 each, \$1,800; 2 clerks, at \$840 each, \$1,680; in all, \$62,930.

The amendment was agreed to.

The next amendment was, on page 62, line 3, before the word "thousand," to strike out "ten" and insert "thirty-five;" and in line 4, after the word "dollars," to insert "five thousand dollars of which sum shall be immediately available;" so as to make the clause read:

General expenses, Bureau of Plant Industry: vegetable pathological and physiological investigations: Investigating the nature of diseases injurious to fruits, fruit trees, grain, cotton, vegetable, and other useful plants; experiments in the treatment of the same; the study of plant physiology in relation to crop production and the improvement of crops by breeding and selection; to investigate the diseases affecting citrus fruits, pineapples, and truck crops grown during the winter in the Southern States; to investigate canaigre and other tannin-bearing plants; to investigate and report upon the diseases

affecting plants on the Pacific coast; to originate or introduce improved varieties of fruits and vegetables in cooperation with the section of seed and plant introduction; to study the relation of soil and climatic conditions to diseases of plants, particularly with reference to the California vine diseases and diseases of the sugar beet, in cooperation with the Bureau of Soils, and for other purposes connected with the discovery and practical application of improved methods of crop production; to continue the work of originating, by breeding and selection, in cooperation with the other divisions of the Department and the experiment stations, new varieties of oranges, lemons, and other tropical and subtropical fruits more resistant to cold and disease and of better quality; varieties of wheat and other cereals more resistant to rust and smut and better suited to the various sections of this country; varieties of cotton more resistant to disease and of longer and better staple, and varieties of pears and apples more resistant to blight and better adapted for export; to investigate the causes of decay in forest timber and timber used for construction purposes, and to devise means for preventing the decay of the same; to investigate the practical application in agriculture of the fixation of atmospheric nitrogen by bacteria and other micro-organisms in soils and in the root tubercles of leguminous and other plants; to cultivate and distribute these nitrogen fixers and to determine the conditions most favorable to their development; to study and find methods for preventing the algal and other contaminations of water supplies; the employment of investigators, local and special agents, clerks, assistants, and student scientific aids at an annual salary of \$480 each, and other labor required in conducting experiments in the city of Washington and elsewhere, and collating, digesting, reporting, and illustrating the results of such experiments; for telegraph and telephone service; for gas and electric current; purchase of chemicals and apparatus required in the field and laboratory; necessary traveling expenses; for express and freight charges; the preparation of reports and illustrations; the rent and repairs of a building, not to exceed \$3,000 per annum; all necessary office fixtures and supplies, and for other expenses connected with the practical work of the investigations, \$135,000, \$5,000 of which sum shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 63, line 22, before the word "thousand," to strike out "thirty" and insert "forty-two;" in line 23, after the word "dollars," to insert:

Five thousand dollars of which sum may, in the discretion of the Secretary, be expended for the establishment in the State of California of experiment stations for studying the nature of the phylloxera, Anaheim, and other diseases of vines, and for ascertaining the best means for protecting vineyards against their ravages.

So as to make the clause read:

Pomological investigations: Investigating, collecting, and disseminating information relating to the fruit industry; the collection and distribution of seeds, shrubs, trees, and specimens; and for collecting and modeling fruits, vegetables, and other plants, and furnishing duplicate models to the experiment stations of the several States, as far as found practicable; the employment of investigators, local and special agents, clerks, assistants, student scientific aids at an annual salary of \$480 each, and other labor required in conducting experiments in the city of Washington and elsewhere; and in collating, digesting, reporting, and illustrating the results of such experiments; for gas and electric current; for telegraph and telephone services; for express and freight charges; for all necessary office fixtures and supplies and for traveling and other necessary expenses, to continue the investigations and experiments in the introduction of the culture of European table grapes and the study of the diseases that affect them, for the purpose of discovering remedies therefor, this work to be done in cooperation with the section of seed and plant introduction; to investigate in cooperation with the other divisions and bureaus of the Department and the experiment stations of the several States the market conditions affecting the fruit and vegetable trade in the United States and foreign countries, and the methods of harvesting, packing, storing, and shipping fruit and vegetables, and for experimental shipments of fruits and vegetables to foreign countries, for the purpose of increasing the exportation of American fruits and vegetables, and for all necessary expenses connected with the practical work of the same, and such fruits and vegetables as are needed for these investigations and experimental shipments may be bought in open market and disposed of at the discretion of the Secretary of Agriculture, and he is authorized to apply the moneys received from the sales of such fruits and vegetables toward the continuation and repetition of these investigations and experimental shipments; to investigate, map, and report upon the commercial fruit districts of the United States, for the purpose of determining the relative adaptability of the several important fruits thereto, by a study of the conditions of soil and climate, and of the prevalence of plant diseases existing therein as related to commercial fruit production, \$42,000, \$5,000 of which sum may in the discretion of the Secretary be expended for the establishment in the State of California of experiment stations for studying the nature of the phylloxera, Anaheim, and other diseases of vines, and for ascertaining the best means for protecting vineyards against their ravages.

The amendment was agreed to.

The next amendment was, on page 65, line 10, to increase the appropriation for botanical investigations and experiments from \$55,000 to \$60,000.

The amendment was agreed to.

The next amendment was, on page 66, line 16, to increase the appropriation for grass and forage-plant investigations from \$30,000 to \$40,000.

The amendment was agreed to.

The next amendment was, on page 68, line 13, to increase the appropriation for maintenance of the general experimental farm and agricultural station on the Arlington estate, in the State of Virginia, from \$15,000 to \$20,000.

The amendment was agreed to.

The next amendment was, on page 69, line 5, before the word "transportation," to insert "fuel;" in line 10, before the word "thousand," to strike out "three hundred" and insert "two hundred and eighty;" and in line 11, before the word "thousand," to strike out "forty-eight" and insert "fifty;" so as to make the clause read:

Purchase and distribution of valuable seeds: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; for rent of building, not to exceed \$3,000; the employment of local and special agents, clerks, assistants, and other labor required,

in the city of Washington and elsewhere; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, printing, postal cards, gas, and electric current; traveling expenses, and all necessary material and repairs for putting up and distributing the same, and to be distributed in localities adapted to their culture, \$280,000, of which amount not more than \$50,000 shall be expended for labor in the city of Washington, D. C., and not less than \$210,000 shall be allotted for Congressional distribution.

The amendment was agreed to.

The next amendment was, on page 72, line 12, to increase the total appropriation for the Bureau of Plant Industry from \$612,730 to \$684,930.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Forestry," on page 72, line 24, after the word "dollars," to strike out "one field assistant, \$720;" on page 73, line 10, before the word "hundred," to strike out "eight" and insert "one," and in the same line, before the word "dollars," to strike out "sixty" and insert "forty;" so as to make the clause read:

Bureau of Forestry, salaries: One forester, who shall be Chief of Bureau, \$3,500; 1 assistant forester, \$2,500; 1 assistant forester, \$2,000; 1 assistant forester, \$1,800; 1 stenographer, \$1,200; 1 field assistant, \$1,500; 1 field assistant, \$1,400; 1 field assistant, \$1,200; 1 field assistant, \$1,000; 10 collaborators, at \$300 each, \$3,000; 1 clerk class 3, \$1,600; 1 photographer, \$1,200; 1 computer, \$1,000; 3 clerks class 1, \$3,600; 2 clerks, at \$1,000 each, \$2,000; 4 clerks, at \$900 each, \$3,600; 7 clerks, at \$720 each, \$5,040; in all, \$37,140.

The amendment was agreed to.

The next amendment was, on page 73, line 14, after the word "lumbering," to insert:

And whenever the boundaries of any forest reserve are substantially adjusted, the control of such reserve, except as to titles, may, by Executive order, be transferred to and vested in the Secretary of Agriculture, and the Secretary of Agriculture may protect, dispose of, and reproduce timber and natural or cultivated growth on forest experiment stations set apart by the President for such experiments and investigations.

Mr. PROCTOR. That entire amendment is withdrawn, Mr. President.

Mr. PLATT of Connecticut. Before the amendment is withdrawn, I should like to make an inquiry, and that is, who or what Department at present has custody and care of the forest reserves?

Mr. PROCTOR. The Interior Department.

Mr. PLATT of Connecticut. Of course I do not want to object to the withdrawal of the amendment, but I do want to say that I believe great care ought to be exercised in the protection of the forest reserves.

We have set apart certain forest reserves, and the timber and undergrowth in those reserves ought to be conserved and protected. My information is that they are not; that either with the permission of the officers who have control of these forest reserves, or without such permission, parties are authorized to pasture and otherwise use them, and that such pasturage and use are seriously damaging those forest reserves, destroying the growth of the smaller timber, and generally interfering with the purposes for which those forest reserves were set apart. I wish to know whether the Senator has any information on that subject. That has been my information. If the transfer of the care and protection of these forest reserves to the Agricultural Department would tend to the preservation of them, I should be very glad to have that control transferred.

Mr. PROCTOR. Mr. President, my limited information of this matter agrees with that of the Senator from Connecticut. I have given it no special attention, as the reserves are under the Department of the Interior. From what I have heard I agree with the Senator's views, but the committee were informed that the retention of this provision in the bill would lead to very extended discussion; that it would be impossible to pass it; that this provision has been acted upon adversely in another body, and that it was useless at this session to consider it. Therefore we consented to striking it out, some members of the committee being opposed to the amendment, although it was agreed to in the committee meeting.

Mr. PLATT of Connecticut. Mr. President, if that is the conclusion of the committee, I am not going to make any objection. I understand that we have another committee of the Senate on Forest Reservations, which deals with the subject of forest reserves. I am now informed that this question of the spoliation of forest reserves has been considered by that committee, and that there is a disposition, a desire, and intention that this spoliation which has been going on shall be checked and stopped. In that view of the subject I do not wish to take the time of the Senate longer, but I wanted to call the attention of the Senate to the fact as represented to me, that very large injury was being done to the forest reserves.

Mr. RAWLINS. I wish to ask the Senator from Vermont, in charge of this bill, if it contains any provision looking to the further protection of the forest reservations?

Mr. PROCTOR. There is nothing in the bill now concerning the forest reservations. That subject belongs to the Interior Department.

Mr. RAWLINS. If I understood the remarks of the Senator from Connecticut [Mr. PLATT] they suggest a matter which is of very great importance. At present the forest reservations operate in no degree to conserve the water supply or to protect or preserve the timber. The forest reservation in my own State is being invaded by sheep and cattle, the timber is being destroyed, and I have been reliably informed that no steps are being taken for the preservation of the reservation or to secure the very end for which it was established. I am also informed that this is true of other forest reservations throughout the West.

There is one other thing to which I should like to invite the attention of the Senate in this connection, and that is that some officer assumes to license people to graze their sheep and cattle upon the reservation and also to take timber from it; that while one class of people are excluded from participation in this privilege others are being admitted to it, and that those who are admitted practically go in without any restriction upon them in such a way that the timber on the reservation is being destroyed and the undergrowth and brush are being obliterated so that they in no degree serve the purpose for which the reservation was established.

Mr. CLARK of Wyoming. Mr. President, the remark of the Senator from Utah [Mr. RAWLINS] calls for a word.

I do not suppose the subject of forest reserves is properly under discussion on this bill, inasmuch as they are entirely under the Interior Department, and this bill deals only with the Agricultural Department. If I am incorrect in that statement the chairman of the committee will correct me.

Mr. PROCTOR. The Senator from Wyoming is correct. I understand, if the Senator will allow me, that the matter of forest reserves is dealt with on the sundry civil appropriation bill.

Mr. CLARK of Wyoming. That is the way I understand it. But in this connection and in view of the remarks of the Senator from Utah, I want to observe that in my locality the difficulty has been, not that there has been too little care exercised in the preservation of forest reserves, but that the Interior Department has perhaps gone further in the details of their care than we have thought just and necessary under all the circumstances.

In my own State, for instance, the Interior Department I think has paid special attention to the preservation of the forests and the conservation of the water supply. It is true that the Interior Department has made regulations under which certain classes of live stock may be permitted to graze upon the reserves, but, in our opinion, it has gone to the limit of the necessity for safety in that regard. I think nobody can complain that the Secretary of the Interior has not done everything in his power to protect the reserves, not only in the prevention of forest fires, but in protecting them against devastation by sheep and cattle.

Mr. RAWLINS. One additional word in this connection. As to the statement made by the Senator from Wyoming [Mr. CLARK], my information that little protection was being afforded to the forest reservations came from officials in the Interior Department. I was there informed that the reservation in my own State had had too little protection; that, without permission, sheep had invaded the reservation in such numbers that it was impossible for the Department, with the force which it had at its command, to exclude them, and from necessity, they permitted the sheep to continue upon the reservation practically without limitation.

Mr. CLARK of Wyoming. If the Senator will allow me, I suppose that that was simply because the Department did not have money enough to properly police the reservation; that they did not have sufficient force, in other words, to keep off the sheep, and Utah sheep, according to my experience, will go almost anywhere that any live animal will go.

Mr. RAWLINS. There is no barrier that will prevent an invasion of Wyoming sheep. The trouble with the Senator from Wyoming has been that Wyoming sheep have been excluded from the forest reservation in Utah, while free access has been accorded to the sheep owners of Utah.

That, however, is not the point I rose to suggest to the Senate; but as the matter does not properly come on this bill, I do not care to further indulge in discussion, as there is no object to be gained by it.

Mr. PLATT of Connecticut. Mr. President, I desire before this matter passes from the attention of the Senate to put in a very brief extract from a letter written to me by a gentleman whom I know very well. He is the grandson of a distinguished Senator who once occupied a seat in this body from Connecticut, a son of one of the judges of our supreme court, and a lawyer of ability, who lost his health and was compelled to go to California for its restoration. He is a man of the highest intelligence, with no prejudices, and he has written a very long letter on this subject, which convinces me that something ought to be done more than is now being done to protect the forest reserves, certainly in the locality of which he speaks.

I will not take the time of the Senate long, but simply desire to read one extract from the letter. The writer says:

Ventura County is one of the richest in southern California. The fertile Santa Clara Valley is the center of the beet and bean interests. I worked two weeks this fall stacking bean straw on the Orchard Farm ranch at Saticoy. There were 400 acres in beans, 200 acres in corn, 200 in alfalfa, a fine lot of hogs. The ranch cleaned up net \$22,000.

All these ranches draw their water for irrigation during the dry season from streams which have their source within the watershed of the reserve. The Ventura, Santa Paula, Sespe, and Pini rivers are examples. By overstocking the range with cattle the headwaters of the Pini have already been seriously affected. The cattle have so trampled and destroyed the grasses and shrubs that when the winter rains come there is no surface vegetation to restrain them and they rush down in a mad flood to the sea. Again, forest fires, started in some instances by stockmen and in others by campers, have swept across the west end of Pini Mountain range. When the timber is once burnt off a fine canyon like Reges becomes a barren water course.

That is only a specimen of the letter which also refers to other places. I am satisfied that more care ought to be used for the protection of the forest reserves, and if the appropriation is not large enough that larger appropriations ought to be made if we are really to preserve the forest reserves.

The PRESIDENT pro tempore. In the absence of objection, the amendment reported by the committee will be disagreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 74, line 10, before the word "hundred," to strike out "two" and insert "three;" in line 11, before the word "thousand," to strike out "fifty-four" and insert "thirty-seven;" and in line 12, before the word "dollars," to insert "eight hundred and sixty;" so as to make the clause read:

General expenses, Bureau of Forestry: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, forest reserves, forest fires, and lumbering; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to collect and distribute valuable economic forest-tree seeds and plants; for the employment of local and special agents, clerks, assistants, and other labor required in practical forestry and in conducting experiments and investigations in the city of Washington and elsewhere, and for collating, digesting, reporting, illustrating, and printing the results of such experiments and investigations; for the purchase of all necessary supplies, apparatus, and office fixtures; for freight and express charges, and traveling and other necessary expenses, \$337,800, of which sum not to exceed \$10,000 may be used for rent. And the employees of the Bureau of Forestry outside of the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed 15 days in any one year.

The amendment was agreed to.

The next amendment was, on page 74, line 18, to increase the total appropriation for the Bureau of Forestry from \$291,860 to \$375,000.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Chemistry," on page 78, line 19, before the word "thousand," to strike out "twenty" and insert "fifteen;" and in line 22, after the word "sirup," to insert "of which sum \$10,000 shall be immediately available;" so as to make the proviso read:

Provided, That \$15,000 thereof shall be used exclusively for the purpose of investigating, determining, and reporting the proper treatment and process in order to secure uniform grade and quality of first-class table sirup, of which sum \$10,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Soils," on page 81, line 8, to increase the appropriation for general expenses of the Bureau of Soils from \$130,000 to \$195,000.

The amendment was agreed to.

The next amendment was, on page 81, line 10, to increase the total appropriation for the maintenance of the Bureau of Soils from \$172,480 to \$237,480.

The amendment was agreed to.

The next amendment was, on page 82, line 21, after the word "dollars," to strike out "shall" and insert "may in the discretion of the Secretary of Agriculture;" so as to make the clause read:

General expenses of entomological investigations: Promotion of economic entomology; investigating the history and habits of insects injurious and beneficial to agriculture, horticulture, and arboriculture; ascertaining the best means of destroying those found to be injurious, including an investigation into the ravages of the codling moth and of the cotton-boll weevil and boll worm, with a view of ascertaining the best methods of their extermination; investigations in apiculture; investigations of the damage to forests and forest trees by insects; purchase of chemicals, insecticide apparatus, and other materials, supplies, and instruments required in conducting such experiments and investigations; for the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such experiments; freight and express charges, and necessary traveling expenses; rent of building; for office fixtures and supplies, telegraph and telephone services; gas and electric current; preparing, illustrating, and publishing the results of the work of the division, \$12,000 of which shall be immediately available, \$65,500, of which amount not to exceed \$10,000 may in the discretion of the Secretary of Agriculture be expended for silk investigations.

The amendment was agreed to.

The next amendment was, on page 84, line 8, to increase the

appropriation for general expenses of biological investigations from \$28,000 to \$33,000.

The amendment was agreed to.

The next amendment was, on page 84, after line 8, to insert:

To enable the Secretary of Agriculture to move or transport elk or other game animals presented to the Government or owned by it, and to fence, maintain, feed and care for them on forest reserves or other public lands, \$1,000.

The amendment was agreed to.

The next amendment was, on page 84, line 14, to increase the total appropriation for the maintenance of Division of Biological Survey from \$45,850 to \$51,850.

The amendment was agreed to.

The next amendment was, on page 84, line 17, to increase the appropriation for the salary of chief of division and disbursing clerk, Division of Accounts and Disbursements, from \$2,500 to \$2,750; and on page 85, line 1, to increase the total appropriation for the maintenance of the Division of Accounts and Disbursements from \$24,100 to \$24,350.

The amendment was agreed to.

The next amendment was, on page 85, line 4, to reduce the appropriation for the salary of one editor, who shall be Chief of the Division of Publications, from \$3,000 to \$2,750; and in line 19 to reduce the total appropriation for salaries in the Division of Publications from \$29,320 to \$29,070.

The amendment was agreed to.

The next amendment was, on page 87, line 11, to reduce the total appropriation for the maintenance of Division of Publications from \$229,320 to \$229,070.

The amendment was agreed to.

The next amendment was, on page 87, line 13, before the word "of," to strike out "Division" and insert "Bureau;" in line 14, after the word "of," to strike out "division" and insert "bureau;" in line 15, before the word "dollars," to insert "five hundred;" in line 16, after the word "of," to strike out "division" and insert "bureau;" in line 24, before the word "thousand," to strike out "forty-six" and insert "forty-seven;" and in the same line, before the word "hundred," to strike out "nine" and insert "four;" so as to make the clause read:

Bureau of Statistics, salaries: One Statistician, who shall be chief of bureau, \$3,500; 1 assistant statistician, who shall be assistant chief of bureau, \$2,200; 3 clerks class 4, \$5,400; 4 clerks class 3, \$6,400; 5 clerks class 2, \$7,000; 8 clerks class 1, \$9,000; 10 clerks, at \$1,000 each, \$10,000; 4 clerks, at \$340 each, \$3,360; in all, \$47,460.

The amendment was agreed to.

The next amendment was, on page 88, line 1, before the word "of," to strike out "Division" and insert "Bureau;" so as to read "Bureau of Statistics."

The amendment was agreed to.

The next amendment was, on page 88, in line 13, after the word "Provided," to strike out "That the monthly crop report, issued on the 10th day of each month," and insert:

That monthly crop reports based upon returns to the Department to the 1st day of the month upon which the returns are issued shall be issued as soon as possible thereafter, but not later than the 8th day of the month, and.

Mr. PROCTOR. That amendment is withdrawn, Mr. President.

Mr. BATE. I want to say that that is an amendment which I offered in committee. I think it a good one and that very likely it ought to be retained. The provision in the Agricultural appropriation act of last year is the same as this, with the exception of the time. There it was provided that the report should be made on the 10th day of the month, and this provision makes it the 8th. This was assented to by the Secretary of Agriculture when it was presented to him as an amendment by our committee. I am not revealing any secret in saying that. Since then, however, the Secretary has found that he can not carry out the law without having an additional sum of \$20,000, as it will require more clerical and other assistance. He has given his reasons for it, and I think probably we had better let it rest as the law now is.

I want to say further that some of the commercial exchanges in the country have telegraphed us that the provision would operate badly. The object I had in proposing the amendment was simply to lessen the time within which there might be, if any were so disposed, jugglery in cotton, grain, etc., from the time the reports were to come in until the time they were made public, and I think the amendment is on that line. But inasmuch as it will cost, as the Secretary says, \$20,000 at least, and inasmuch as the exchanges in the country have telegraphed us that the provision will not operate well, I agree that it shall be withdrawn.

The PRESIDENT pro tempore. The amendment is withdrawn.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, in line 21, before the word "shall," to strike out "it" and insert "these reports;" in line 24, before the word "thousand," to strike out "ninety-four" and insert "one hundred and nine;" in line 25,

before the word "thousand," to strike out "forty" and insert "fifty," and on page 89, line 1, after the words "District of Columbia," to insert "\$5,000 of which sum shall be immediately available;" so as to make the clause read:

General expenses, Bureau of Statistics: Collecting domestic and foreign agricultural statistics; compiling, writing, and illustrating statistical matter for monthly, annual, and special reports; special investigations and compilations; subscriptions to, and purchase of, statistical and newspaper publications containing data for permanent comparative records; maps and charts; stationery supplies, blank books, circulars, paper, envelopes, postal cards, postage stamps, office fixtures, telegraph and telephone services, freight and express charges, including employment of labor in the city of Washington and elsewhere, and necessary traveling expenses: *Provided*, That the monthly crop report, issued on the 10th day of each month, shall embrace a statement of the condition of the crops, by States, in the United States, with such explanations, comparisons, and information as may be useful for illustrating the above matter, and that these reports shall be submitted to, and officially approved by, the Secretary of Agriculture before being issued or published, \$100,000, of which sum not more than \$50,000 shall be expended for salaries in the city of Washington, D. C., \$5,000 of which sum shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 89, line 4, to increase the total appropriation for the maintenance of the Division of Statistics from \$141,160 to \$156,660.

The amendment was agreed to.

The next amendment was, on page 89, line 24, to increase the appropriation for general expenses of the Division of Foreign Markets from \$6,500 to \$7,500.

The amendment was agreed to.

The next amendment was, on page 90, line 1, to increase the total appropriation for the maintenance of Division of Foreign Markets from \$15,000 to \$16,000.

The amendment was agreed to.

The next amendment was, on page 90, line 16, after the word "periodicals," to insert "and for the employment of additional assistance in the city of Washington and elsewhere, when necessary, for traveling expenses;" in line 20, before the word "thousand," to strike out "eight" and insert "ten;" and, in the same line, after the word "dollars," to insert:

• *Provided*, That section 3648 of the Revised Statutes shall not apply to the subscriptions for publications for the Department of Agriculture, and the Secretary of Agriculture is authorized to pay in advance for any publications for the use of his Department.

So as to make the clause read:

General expenses for Department library: Purchase of technical books of reference, technical papers, and technical periodicals necessary for the work of the Department, and for expenses incurred in completing imperfect series, for binding periodicals, and for the employment of additional assistance in the city of Washington and elsewhere, when necessary, for traveling expenses, and for library fixtures, shelving, library cards, and other material, \$10,000: *Provided*, That section 3648 of the Revised Statutes shall not apply to the subscriptions for publications for the Department of Agriculture, and the Secretary of Agriculture is authorized to pay in advance for any publications for the use of his Department.

The amendment was agreed to.

The next amendment was, on page 91, line 1, to increase the total appropriation for the maintenance of library, Department of Agriculture, from \$18,000 to \$20,000.

The amendment was agreed to.

The next amendment was, on page 91, line 9, after the word "books," to insert "necessary scientific and other publications;" so as to make the clause read:

Contingent expenses, Department of Agriculture: Purchase of stationery, blank books, necessary scientific and other publications, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, fuel, water and gas pipes, heating apparatus, furniture, carpets, matting, etc.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous," on page 92, line 12, before the word "thousand," to strike out "one" and insert "ten;" and in line 13, before the word "thousand," to strike out "thirty-seven" and insert "forty;" so as to read:

Agricultural experiment stations: To carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," and to enforce the execution thereof, \$810,000; \$40,000 of which sum shall be payable upon the order of the Secretary of Agriculture to enable him to carry out the provisions of section 3 of said act of March 2, 1887, etc.

The amendment was agreed to.

The next amendment was, on page 93, line 21, to increase the appropriation to enable the Secretary of Agriculture to establish and maintain an agricultural station in the Hawaiian Islands, etc., from \$12,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 94, line 2, to increase the appropriation to enable the Secretary of Agriculture to establish and maintain an agricultural experiment station in Porto Rico, etc., from \$12,000 to \$15,000.

The amendment was agreed to.

The next amendment was, on page 94, line 12, to increase the

appropriation for agricultural experiment stations from \$801,000 to \$810,000.

The amendment was agreed to.

The next amendment was, on page 94, line 23, to increase the total appropriation for agricultural experiment stations from \$801,000 to \$810,000.

The amendment was agreed to.

The next amendment was, on page 95, line 22, before the word "those," to strike out "and" and insert "than;" and on page 96, line 9, before the word "thousand," to strike out "twenty-five" and insert "seventy-five;" so as to make the clause read:

Irrigation investigations: To enable the Secretary of Agriculture to investigate and report upon the laws as affecting irrigation and the rights of riparian proprietors and institutions relating to irrigation and upon the use of irrigation waters, at home or abroad, with especial suggestions of better methods for the utilization of irrigation waters in agriculture than those in common use, and upon plans for the removal of seepage and surplus waters by drainage, and upon the use of different kinds of power for irrigation and other agricultural purposes, and for the preparation, printing, and illustration of reports and bulletins on irrigation, including employment of labor in the city of Washington or elsewhere; and the agricultural experiment stations are hereby authorized and directed to cooperate with the Secretary of Agriculture in carrying out said investigations in such manner and to such extent as may be warranted by a due regard to the varying conditions and needs of the respective States and Territories as may be mutually agreed upon, and all necessary expenses, \$75,000.

The amendment was agreed to.

The next amendment was, on page 97, line 2, before the word "thousand," to strike out "thirty" and insert "forty;" and in the same line, after the word "dollars," to insert "\$3,000 of which sum shall be immediately available;" so as to make the clause read:

Public road inquiries: To enable the Secretary of Agriculture to make inquiries in regard to the system of road management throughout the United States; to make investigations in regard to the best methods of road making, and the best kind of road-making materials in the several States; the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere; and in collating, digesting, reporting, and illustrating the results of such experiments; to enable the Secretary of Agriculture to investigate the chemical and physical character of road materials, for the pay of experts, chemists, and laborers, for necessary office fixtures, supplies, apparatus, and materials; telegraph and telephone service, traveling, and other necessary expenses, and for preparing and publishing bulletins and reports on this subject for distribution, and to enable him to assist the agricultural colleges and experiment stations in disseminating information on this subject, \$40,000, \$3,000 of which sum shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 97, after line 3, to insert:

Such amount of the urgency deficiency appropriation for the Bureau of Animal Industry for the fiscal year ending June 30, 1903, approved December 22, 1902, as may remain unexpended on June 30, 1903, is hereby reappropriated for the fiscal year ending June 30, 1904, to be used for the purposes mentioned in the act by which the appropriation was made.

The amendment was agreed to.

The reading of the bill was concluded.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. ALDRICH. What has become of the statehood amendment? The PRESIDENT pro tempore. The amendments have all been agreed to except the first one.

Mr. PROCTOR. With the exception of the first amendment. The PRESIDENT pro tempore. It was passed over, and of course has not been agreed to. The other amendments have all been concurred in in the Senate.

Mr. PROCTOR. I ask that the bill be informally laid aside.

The PRESIDENT pro tempore. The Senator from Vermont asks that the bill be informally laid aside. The Chair hears no objection, and it is so ordered.

SAFE-KEEPING OF PUBLIC MONEY.

Mr. ALDRICH. I move that the Senate proceed to the consideration of the bill (S. 7301) to further provide for the safe-keeping of public money, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

Mr. ALDRICH. Mr. President, the bill has heretofore been read.

The PRESIDENT pro tempore. The bill has been read at length. The amendments reported by the committee will be stated.

The SECRETARY. On page 2, line 18, it is proposed to strike out "one hundred" and insert "fifty;" so as to read:

The Secretary of the Treasury may accept as security for the safe-keeping of public money deposited with national banking associations, as herein authorized, the deposit of bonds of the United States, bonds or other interest-bearing obligations of any State of the United States, or any legally authorized bonds issued for municipal purposes by any city in the United States which has been in existence as a city for a period of twenty-five years, and which for a period of ten years previous to such deposit has not defaulted in the payment of any part of either principal or interest of any debt authorized to be contracted by it, and which has at such date more than 50,000 inhabitants as established by the last national, State, or city census, and whose net indebtedness does not exceed 10 per cent of the valuation of the

taxable property therein, to be ascertained by the last preceding valuation of property for the assessment of taxes.

The amendment was agreed to.

Mr. ALDRICH. In line 23, page 2, after the word "bonds," I move to insert "not including street-railway bonds."

The PRESIDENT pro tempore. The Senator from Rhode Island offers an amendment, which will be stated.

The SECRETARY. After the word "bonds," in line 23, page 2, it is proposed to insert the words "not including street railway bonds."

Mr. BACON. Will the Senator from Rhode Island please give us the reason for the amendment?

Mr. ALDRICH. It is to exclude street railway bonds.

Mr. BACON. I understand that, but why?

Mr. ALDRICH. There are certain financiers who believe that street railway bonds have not yet secured such a status as to entitle them to be used for this purpose. I do not share to any great extent that apprehension, but in order to meet the criticisms that have been made in that direction the committee thought it more desirable to exclude them from use for this purpose.

Mr. BERRY. I understood the Senator from Rhode Island was going to explain the provisions of the bill. I desire to make some remarks on it, but I should like to hear his explanation of the bill first.

Mr. QUARLES. I suggest to the Senator from Rhode Island that his amendment, in my judgment, would be more properly inserted after the word "company" than after the word "bonds."

Mr. ALDRICH. I think perhaps the Senator from Wisconsin is right. Let the amendment be inserted after the word "company," in the same line.

The PRESIDENT pro tempore. The Senator from Rhode Island proposes an amendment which will be stated.

The SECRETARY. After the word "company," in line 23, page 2, it is proposed to insert "not including street railway bonds."

The amendment was agreed to.

The next amendment of the Committee on Finance was, after line 12 on page 3, to insert the following:

The United States shall have a lien on all assets of banks in which public moneys are deposited from the time of deposit, for the repayment of the same on demand of the Treasurer of the United States as aforesaid; but the securities deposited with the Secretary of the Treasury for the safe-keeping of such moneys shall be sold before the said lien is enforced and the proceeds applied to the discharge of said lien to the extent of the proceeds of sale.

Mr. ALDRICH. The committee desire to modify the amendment. I move to strike out the word "all," in line 13, and insert "the current."

The amendment to the amendment was agreed to.

Mr. ALDRICH. In line 14 I move to strike out the words "from the time of deposit."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BERRY. I understood that the Senator from Rhode Island desired to make an explanation of the bill. I should like to hear it before I make the remarks I intend to make on the bill. If he is not going to submit an explanation, I will make my remarks now.

Mr. HALE. Before the Senator goes on, let me call the attention of the Senator from Rhode Island to the provision at the bottom of page 2. This bill provides for certain classes of securities which are supposed to be, I take it—

Mr. BACON. Mr. President, this is a very important matter, and I hope the Senator from Maine will speak louder, so that we may hear him.

Mr. HALE. This bill provides for certain classes of securities to be accepted by the Government as collateral and as insuring the safety of deposits by the Government. They are United States bonds, State bonds, municipal bonds, or—

the first-mortgage bonds of any railroad company which has paid dividends of not less than 4 per cent per annum regularly on its entire capital stock for a period of not less than ten years previous to the deposit of the bonds.

Is that meant to be a continuous arrangement—every year?

Mr. ALDRICH. Continuous from the time of deposit, of course.

Mr. HALE. Then there would be no objection to putting in the word "continuous."

Mr. ALDRICH. Where would the Senator suggest that it be put in?

Mr. BACON. Mr. President—

Mr. HALE. Let it read "for a continuous period of not less than ten years previous to the deposit of the bonds."

Mr. BACON. I am sorry to interrupt the Senator from Maine, but we really desire to hear what he says. He speaks to the Senator from Rhode Island, and it is impossible for us to hear him.

Mr. ALDRICH. I certainly should not object to that amendment. I think that is the meaning of the provision as it stands.

Mr. HALE. I think myself it is the meaning, but I think everything of this kind is a departure, and hereafter there will be some complications and there will be some losses by the acceptance of

these securities. The best of husbandry on the part of the Treasury Department can not prevent that; and every provision here for the acceptance of these bonds to insure the Government security ought to be beyond any doubt as to what it means.

My suggestion is that when you come to deal with the first-mortgage bonds of a railroad company—and this class of bonds, as everybody knows, covers an immense amount—

Mr. KEAN. It is not very large now.

Mr. HALE. The Senator from New Jersey indicates that it is not very large now, but it seems to me that the total of the class of railroad bonds covered by this provision must be large. I suggest that in line 23, where it reads—

The first-mortgage bonds of any railroad company which has paid dividends of not less than 4 per cent per annum regularly on its entire capital stock for—

There be inserted the word "continuous;" so as to read:

for a continuous period of not less than ten years previous to the deposit of the bonds.

Mr. ALDRICH. There is no objection to the amendment.

Mr. HALE. The Senator from Wisconsin [Mr. SPOONER] suggests to me that what I have in mind might come in after the word "regularly;" so as to read:

Dividends of not less than 4 per cent per annum regularly and continuously on its entire capital stock for a period of not less than ten years previous to the deposit of the bonds.

Mr. ALDRICH. That is satisfactory.

Mr. HALE. I move that amendment.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). The Senator from Maine offers an amendment, which will be stated.

The SECRETARY. After the word "regularly," in line 25, it is proposed to insert the words "and continuously."

Mr. HALE. Yes.

The PRESIDING OFFICER. Is there objection to the amendment? The Chair hears none, and the amendment is agreed to.

Mr. VEST. I should like to hear that read as amended.

The PRESIDING OFFICER. Does the Senator from Missouri ask that the entire bill as amended be read?

Mr. VEST. No; merely that part of it which has just been amended.

The PRESIDING OFFICER. The Senator from Missouri asks that the section of the bill as amended be read.

Mr. CARMACK. I should like to hear the entire bill read as amended.

The PRESIDING OFFICER. The Senator from Tennessee asks for the reading of the entire bill as amended. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary proceeded to read the bill as amended.

Mr. McCOMAS. Is the bill now being read for amendment?

The PRESIDING OFFICER. It is being read for the information of the Senate at the request of the Senator from Tennessee.

Mr. McCOMAS. And is still open to amendment?

The PRESIDING OFFICER. The bill is still open to amendment.

The Secretary resumed the reading of the bill as amended, and continued to the end of line 20, on page 3.

Mr. BACON. I wish to ask if the Secretary has read the bill correctly when he read "the current assets of banks?"

The PRESIDING OFFICER. The bill has been amended in that respect.

Mr. ALDRICH. The bill was amended on the suggestion of the committee.

Mr. BACON. I beg pardon. I suppose an inquiry is not now in order as to what is the reason for the amendment, but I should like to ask it later.

The Secretary resumed and concluded the reading of the bill as amended; which is as follows:

Be it enacted, etc., That section 5153 of the Revised Statutes is hereby amended to read as follows:

"Sec. 5153. All national banking associations, designated for that purpose by the Secretary of the Treasury, shall be depositaries of public money, under such regulations as may be prescribed by the Secretary; and they may also be employed as financial agents of the Government; and they shall perform all such reasonable duties, as depositaries of public moneys and financial agents of the Government, as may be required of them. The Secretary of the Treasury may deposit in such designated depositaries public money received from all sources, and shall require such depositaries to give satisfactory security, as hereinafter authorized, for the safe-keeping and prompt payment of the public money so deposited with them and for the faithful performance of their duties as financial agents of the Government. The Secretary of the Treasury may accept as security for the safe-keeping of public money deposited with national banking associations, as herein authorized, the deposit of bonds of the United States, bonds or other interest-bearing obligations of any State of the United States, or any legally authorized bonds issued for municipal purposes by any city in the United States which has been in existence as a city for a period of twenty-five years, and which for a period of ten years previous to such deposit has not defaulted in the payment of any part of either principal or interest of any debt authorized to be contracted by it, and which has at such date more than 50,000 inhabitants as established by the last national, State, or city census, and whose net indebtedness does not exceed 10 per cent of the valuation of the taxable property

therein, to be ascertained by the last preceding valuation of property for the assessment of taxes; on the first mortgage bonds of any railroad company, not including street-railway bonds, which has paid dividends of not less than 4 per cent per annum regularly and continuously on its entire capital stock for a period of not less than ten years previous to the deposit of the bonds. The Secretary of the Treasury may accept the securities herein enumerated in such proportions as he may from time to time determine, and he may at any time require the deposit of additional securities, or require any depository to change the character of the securities already on deposit. National banking associations having on deposit public money shall pay to the United States for the use thereof interest at the rate of not less than 1½ per cent per annum, such rate to be fixed from time to time by the Secretary of the Treasury; and all public moneys in any depository shall be payable on demand upon the draft of the Treasurer of the United States. The United States shall have a lien on the current assets of banks in which public moneys are deposited for the repayment of the same on demand of the Treasurer of the United States as aforesaid; but the securities deposited with the Secretary of the Treasury for the safe-keeping of such moneys shall be sold before the said lien is enforced and the proceeds applied to the discharge of said lien to the extent of the proceeds of sale."

SEC. 2. That the 2 per cent bonds of the United States authorized by the act entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902, that shall be issued to provide the funds appropriated by the third section of said act, and for the other expenditures authorized therein, shall be entitled to all the rights and privileges given by law to the 2 per cent bonds issued under the provisions of the act entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," approved March 14, 1900, and any national banking association having on deposit any of the 2 per cent bonds issued under the provisions of said act approved June 28, 1902, shall pay to the Treasurer of the United States a tax of one-fourth of 1 per cent each half year upon the average amount of such of its notes in circulation as are based upon the deposit of such bonds, in lieu of the taxes imposed on notes in circulation by section 5214 of the Revised Statutes.

SEC. 3. That section 3 of the act approved June 20, 1874, entitled "An act fixing the amount of United States notes, providing for a redistribution of the national bank currency, and for other purposes," be, and the same is hereby, amended by adding at the end thereof the following proviso:

"Provided, That the Secretary of the Treasury may, in his discretion, retain in the general fund of the Treasury national bank notes received in the ordinary course of business or presented to the Treasurer of the United States as hereinbefore provided, and pay out such of them as may be fit for circulation for any of the obligations of the Government, excepting only the principal and interest of the public debt."

Mr. WELLINGTON. I understand the bill has been read for the information of the Senate.

The PRESIDING OFFICER. The bill was read at the request of the Senator from Tennessee.

Mr. WELLINGTON. And is unanimous consent required for its further consideration?

Mr. ALDRICH. No.

The PRESIDING OFFICER. The bill has been taken up by a vote of the Senate, but by unanimous consent it was read at the request of the Senator from Tennessee for the information of the Senate.

Mr. BACON. Mr. President, the matter was passed over, and did not at that time attract my attention, but I desire now to ask the Senator from Rhode Island the purpose of the amendment on page 3, in line 13, striking out the word "all" and inserting "the current." I presume, of course, there is a good reason for it, but it does not occur to me, and I desire to have the information.

Mr. ALDRICH. I will say to the Senator that after the bill was reported, it was called to the attention of the committee that the language in the form in which the bill was reported would perhaps, by creating a lien upon all assets at the time of the deposit, prevent a bank from carrying on its current business; that is, disposing from day to day of assets which it might have on hand. The purpose of the amendment is that this lien, whenever it applies, after demand is refused, shall apply to the then existing assets of the bank, and shall not prevent the disposition of assets from day to day in the ordinary course of the business of the bank.

I am not sure whether the criticism is a good one, but I am inclined to think it is, and the committee thought it best in any event to change it so that the lien should apply upon the assets of the bank at the time the lien was created.

Mr. BACON. In the use of the word "current," as I understand, it is designed to designate the assets which may then be in the possession of the bank unpledged to any other demand?

Mr. ALDRICH. Exactly.

Mr. BACON. I would ask the Senator whether he thinks that would be an adequate security?

Mr. ALDRICH. Undoubtedly, from the fact that at the present moment there is no lien at all upon the assets. This is an additional security beyond the deposit of bonds or other—

Mr. BACON. The present law has no such provision in it?

Mr. ALDRICH. The present law has no such provision. This is an additional security to the Government.

Mr. LODGE and Mr. HALE addressed the Chair.

Mr. HALE. In line 19—

Mr. LODGE. I think I was going to make the same suggestion. I suggest that in line 19 to strike out "State, or city."

Mr. HALE. That is the suggestion I made to the Senator—

The PRESIDING OFFICER. Will the Senators speak a little louder?

Mr. HALE. The suggestion I before made to the Senator was that in line 19, page 2, the words "State, or city" should be struck out, so that the census provided for will be the regular, established national census.

Mr. ALDRICH. I have no objection to the amendment.

Mr. HALE. Then I move it.

The PRESIDING OFFICER. The Senator from Maine moves an amendment, which will be stated.

The SECRETARY. In line 19, page 2, after the word "national," it is proposed to strike out the words "State, or city," so as to read, "national census."

Mr. HALE. That is right.

The amendment was agreed to.

Mr. MCOMAS. I should like to ask the chairman of the committee what is the meaning of the word "date" in line 17, on page 2.

And which has at such date—

What date is that? Does it mean to refer to the date of the transaction, the deposit, or to the census?

Mr. ALDRICH. The time of deposit.

Mr. MCOMAS. The time of deposit?

Mr. ALDRICH. The time of deposit. It is intended to.

Mr. MCOMAS. Does it so read?

Mr. ALDRICH. Let us see.

And which for a period of ten years previous to such deposit has not defaulted in the payment of any part of either principal or interest of any debt authorized to be contracted by it, and which has at such date—

That is, the date of deposit. It seems to me clear enough.

Mr. MCOMAS. If it is clear to the Senator, that is enough.

I want to make a further suggestion to the Senator. I think he intends to include county as well as city bonds where they are within the qualifications and will meet the requirements of his language here. Why not say in line 12:

Issued by any county, or issued for municipal purposes—

Then in line 17, after the word "which," insert "county or city;" so that it would read:

And which county or city has at such date more than 50,000 inhabitants.

Counties are ordinarily quasi public corporations, but they are not municipal corporations as such. There are many county bonds which are as much prized as Government bonds, and would be fully as good security and would be based on more property. I therefore ask the Senator whether he would accept an amendment in line 12 so that it would read "to be issued by any county or city," and in line 17 to insert the words "county or city?" The requirement that the county or city should have a population of more than 50,000 would remain.

Mr. LODGE. A city of 50,000 contains ample population for city bonds. A county of 50,000, it seems to me, would be pretty inadequate. It might contain small scattered towns without much property.

Mr. MCOMAS. The assessment of a county of 50,000 would be from twenty to forty million dollars. Most of the counties in the United States run from twenty to forty million dollars.

Mr. LODGE. That is true in parts of the United States.

Mr. MCOMAS. It is true pretty well over the United States. The counties will show an assessed valuation of that amount.

Mr. ALDRICH. I suggest to the Senator from Maryland that if it is important to include counties, although the committee did not think it was, we might insert the word "county" at the end of line 12, so that it would read:

authorized bonds issued for municipal purposes by any city or county in the United States which has been in existence as a city or county for a period of twenty-five years.

The PRESIDING OFFICER. The Senator from Maryland offers an amendment, which will be stated.

The SECRETARY. On page 2, line 12, at the end of the line, after the word "city," insert "or county;" and at the end of line 13, after the word "city," insert "or county."

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Maryland.

Mr. BERRY. Mr. President, I had understood from the remarks of the Senator from Rhode Island—

The PRESIDING OFFICER. Does the Senator from Arkansas address himself to the amendment of the Senator from Maryland?

Mr. BERRY. No, I am addressing myself to the bill.

The PRESIDING OFFICER. Then in the absence of objection the amendment proposed by the Senator from Maryland will be agreed to. It is agreed to. The Senator from Arkansas will proceed.

Mr. BERRY. Mr. President, when I objected to the consideration of this bill one day last week the Senator from Rhode Island said he was anxious to make an explanation of it and suggested that we did not have time, as that was Saturday evening. I have twice asked him this morning to explain it, and he has declined to do so; at least, he has not done so. I would have been glad to hear

him state the objects and purposes of the bill before I make such remarks in opposition to it as I desire to present.

Mr. ALDRICH. The reason why I have not complied with the Senator's request is because I have been constantly interrupted by Senators who had amendments to suggest.

Mr. BERRY. Very well; if the Senator will make the statement now, I will yield the floor to him.

Mr. ALDRICH. The Senator is very kind indeed. The reading of the bill, I think, was concluded.

The PRESIDING OFFICER. It was.

Mr. ALDRICH. Mr. President, the bill proposes to make a very few simple changes in existing law. I will state these propositions seriatim, and I think the mere statement of them will be sufficient.

Mr. TELLER. If we can have a little less noise in the Chamber, perhaps we may hear the Senator. We can hardly hear him over here.

The PRESIDING OFFICER. The Senate will be in order, and conversation will cease on the floor.

Mr. ALDRICH. I was about saying that I would explain briefly the changes which the bill proposes in existing law. They are few in number and simple in terms.

The first change is to authorize the Secretary of the Treasury to exercise the same control over the receipts from customs that he now exercises, and has for forty years, over all the other receipts of the Government, those from internal revenue and from other sources.

Under the national-bank act of 1864 the Secretary of the Treasury was authorized to designate certain national banks as Government depositories and to deposit therein all the receipts of the United States, except those from customs. Under this act each succeeding Secretary of the Treasury has deposited public money in national banks, and the amount so deposited has never, I think, been less than eight or ten million dollars, and it has varied from this sum upward, and in one instance, in 1879, it reached the sum of \$279,000,000. This large deposit grew out of the refunding transactions of 1876-77-78-79.

The fact that the Secretary was not permitted to use customs receipts in this way has been productive at times of evil results. The Secretary of the Treasury has often been obliged, under existing law, to take from the current transactions of the country from one to three or five million dollars daily and to lock the money up in the Treasury of the United States, where it could not be used except to pay for current appropriations made by Congress.

Of course, we would all be glad to reach a condition where the receipts of the Government would always just equal its expenditures. We have never been able quite to reach that point. This Congress has reduced the annual revenues of the country \$100,000,000, and we still have a surplus. Just what that surplus will be at the end of the year it is impossible at this moment to say.

But it is important, in the view of the committee, that this surplus, whatever it is, should not be placed by law where it could not be used and when its removal was liable to be very injurious to the business interests of the country. The Independent Treasury act of 1846 is obsolete, and the provisions which enforce this injurious retirement should be modified.

Now, the excess of the receipts over the expenditures is greater in certain months than in others. They are greater in the fall of the year—in the months of September, October, and November—just at a time when the demand for money is the greatest for moving crops and when a stringency in the money market is almost certain to occur.

Therefore, this withdrawal of money at that time has been doubly injurious, and for that reason we think that the same rule ought to apply to receipts from the customs service that applies and has applied for forty years to all the other receipts of the Government.

I will state that this idea of depositing the surplus funds in banks has existed, with but one interruption, from the foundation of the Government. It has been evident always that the Treasury could not afford to arbitrarily contract the currency and to lock up a large amount of the money of the country where it could not be used. Out of this fact grew the act of 1864, which followed in effect what had been the practice under various acts from the foundation of the Government.

The next change made by the bill in existing law is to authorize a different class of securities to be used.

Mr. BACON. Will the Senator permit me, as he is going from that branch, to ask him a question?

Mr. ALDRICH. Certainly. I shall be very glad to answer any question at any time.

Mr. BACON. I ask it in order that I may get the views of the Senator, who doubtless represents also the views of his committee. Should there not be some provision, in view of this contemplated enlarged deposit, by which there should be an impartial distribution—not absolutely impartial, but approximately an im-

partial distribution—of the deposits in various sections of the country? In other words, ought there not to be some provision which can prevent the Secretary of the Treasury from exercising any partiality by the deposit of an undue amount either in any particular section or in any particular city or in any particular bank, reference of course being had to the volume of business?

I do not mean by this inquiry that there should be an exact fractional proportion according to population in different sections, but, having due regard to the business of the country, ought there not to be some provision in the bill by which there would be secured approximate impartiality in the deposit of this money?

Mr. ALDRICH. The committee, of course, considered the question raised by the Senator from Georgia, but they were unable to discover any method by which that distribution could be enforced. There have been in the past, as the Senator from Georgia very well knows, a great many discussions as to the best method of securing a fair distribution of the Government funds in the different parts of the country. I think every Secretary of the Treasury has distributed the public money as widely as he could and as judiciously as he could, taking into consideration, of course, the amount of business as well as the population.

Mr. BACON. Oh, of course; that is proper; but I want to ask the Senator's attention to the statements which have appeared from time to time in the press of the country as to the very large deposits in some particular bank, so that there was not an impartial distribution even in the same community. The Senator doubtless recalls the fact that such charges have been made, not only of a slight difference, but of a most extravagant partiality in favor of some one particular bank in some particular city to the exclusion, if you please, of other banks in the same city.

Mr. ALDRICH. I know that criticism has been made, but I think it has been ascertained upon an investigation of the facts that the criticisms were not well founded; that is, that no locality had, considering its business, at any time an excess of deposits. I also think that there was no excess found in any one institution. That is my recollection of the fact. I know the Secretary of the Treasury has transmitted information to Congress upon the subject on several occasions.

Mr. BACON. I am not speaking of the present Secretary, of course.

Mr. ALDRICH. I refer to the Secretary who recently retired. There were allegations that he had deposited or permitted to be deposited in certain banks in the city of New York more money than they were entitled to by reason of their importance or their business, but I think the allegations were shown to have been unfounded.

Mr. BACON. Does not the Senator recognize that it would be practicable for the committee to bring in an amendment on the subject? I am not going to offer any amendment myself, but I call it to the attention of the Senator because I think it would be better for him to frame it in case he recognizes the propriety of it. Does not the Senator recognize the propriety of it? Does not the Senator recognize the entire practicability of a general provision which, while it should not be too rigid, would at the same time lay an obligation upon the Secretary of the Treasury to distribute the deposits with some degree of impartiality, having due regard to the business of the several localities? Does not the Senator think that a general provision of that kind, while it would not be sufficiently rigid to embarrass the Secretary, would at the same time lay upon him an obligation which would be generally recognized by the public, and under which those who desire deposits would be in a better position to secure what they might be entitled to under the law?

Mr. ALDRICH. The committee believe that the provisions which I shall reach next in the course of my explanation will secure the result which the Senator seeks without adopting a rigid rule in regard to it.

Mr. BACON. I do not want a rigid rule.

Mr. ALDRICH. I should be very glad if the Senator from Georgia would suggest some amendment which in his judgment would control the distribution within reasonable limits. I should be very glad to see that done.

Mr. BACON. I will state to the Senator that if the bill is not disposed of at this time I will endeavor to draft such a provision and submit it to him. I have no pride in the matter.

Mr. ALDRICH. I do not think myself it would be possible to adopt any other rule except the discretion of the Secretary, but I shall be very glad to see what the Senator has to propose.

Mr. BURTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Kansas?

Mr. ALDRICH. Certainly.

Mr. BURTON. I have been out of the Chamber, and I desire to inquire of the Senator from Rhode Island what portion of the bill is under consideration, if any?

Mr. ALDRICH. I have just explained the first provision of the bill, which proposes to place under the control of the Secretary of the Treasury the receipts from customs duties as well as the other receipts; and I was just about to explain the changes which are to be made in the existing law in regard to the nature of the securities.

Mr. BURTON. I should like to ask the Senator if it would not be well to allow all the national banks to become depositories in view of the fact that an interest charge is made for the deposits farther on in the bill? Should it be left entirely to the Secretary of the Treasury to say what banks shall be depositories?

Mr. ALDRICH. I know of no other rule that can be adopted. All national banks are eligible to be named by the Secretary of the Treasury as Government depositories. That is a law which has remained unchanged for forty years.

Mr. BURTON. I know it is left to the discretion of the Secretary to select the banks as the law now is.

Mr. ALDRICH. I suppose the Senator would not desire to have the Secretary obliged to keep a deposit in every national bank in the United States. It does not seem to me that that would be desirable.

Mr. BURTON. I have not given the matter full consideration. I am only asking for information. I am not in any sense opposing the measure, the Senator will understand.

Mr. ALDRICH. It would not seem to me to be desirable or possible to name all the national banks of the United States as Government depositories in terms.

Mr. BURTON. But since a charge is to be made for the deposits, the point I want to have considered further, I will say, is whether it is not proper that all national banks should be made depositories.

Mr. ALDRICH. I do not myself think so. That would not be my principle.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. ALDRICH. I ask that the unfinished business may be informally laid aside.

Mr. BERRY. I object to that. The Senator from South Carolina [Mr. TILLMAN] wants to make a speech on this bill, and I object to laying it aside for the purpose of proceeding with the bill which has been under consideration, except so far as the Senator's speech goes. But if it is intended to continue the debate further than that, then I object.

Mr. ALDRICH. Well, I shall not resist the objection, but I give notice that at the earliest time—

The PRESIDING OFFICER. What is the request of the Senator from Rhode Island?

Mr. ALDRICH. I make no request.

The PRESIDING OFFICER. The Chair understood a request to have been made.

Mr. BERRY. I understood the request to be that the bill be informally laid aside.

Mr. ALDRICH. I did make that request, but the Senator from Arkansas objected.

Mr. BERRY. I objected; and I said that if the Senator simply wanted to finish his speech I would not object until after that time, but I did object if the debate was to be extended beyond that.

Mr. ALDRICH. The Senator from Arkansas seems to think that other Senators are entitled to more courtesy than I am myself, and therefore I shall not contest it.

Mr. BERRY. Mr. President, the Senator's remark is wholly unjustified. I said the Senator from South Carolina had the floor on the statehood bill.

Mr. ALDRICH. He has the floor on the Post-Office appropriation bill.

Mr. TILLMAN. I have it on both.

Mr. ALDRICH. If the Senator has the floor on both bills, I do not see how I can very well contest his right to it.

Mr. TILLMAN. I am perfectly willing to give way to the Senator to conclude his speech, but I think it is apparent from the indications here that it will be discussed further. If the Senator from Rhode Island wants to complete his speech so that it can get in the RECORD and Senators can study it, I am perfectly willing that that shall be done.

Mr. BERRY. I said I had no objection to the Senator from Rhode Island finishing his speech.

Mr. ALDRICH. If it is the pleasure of the Senate that I shall finish the statement I was making, I will proceed.

Mr. FORAKER. I hope Senators will not object to the Senator from Rhode Island proceeding.

Mr. BERRY. I do not object to that.

The PRESIDING OFFICER. The Chair hears no objection, and the Senator from Rhode Island will proceed.

Mr. QUAY. Mr. President, I have just come into the Chamber, and I wish to inquire what is the parliamentary condition. Has the statehood bill been laid before the Senate?

The PRESIDING OFFICER. The unfinished business, the bill known as the statehood bill, has just been laid before the Senate. The Chair hears no objection to the request made that the Senator from Rhode Island shall proceed with his remarks, the unfinished business being temporarily laid aside for that purpose.

Mr. QUAY. Until the Senator from Rhode Island has completed his remarks?

The PRESIDING OFFICER. Until he has completed his speech. The Senator from Rhode Island will proceed.

Mr. ALDRICH. I was about to say that the second change in existing law proposed by the bill is in regard to the nature of the securities which may be deposited to insure the safety of the public money. Under existing law the security is required to be bonds of the United States, and otherwise. Just what the words "and otherwise" mean has been always more or less a question of dispute. The Secretary of the Treasury some time last fall decided that under that language he could accept State and municipal bonds, and he did so to the extent, I think, of \$25,000,000 or \$30,000,000. I am not sure about the exact amount.

This relieves any Secretary from responsibility by providing that hereafter any bonds of the United States and bonds of any State and a certain class of municipal bonds and a certain very limited class of first-mortgage railroad bonds may be accepted as security.

Mr. McCUMBER. Mr. President, I should like to ask the Senator a question. What is the reason for limiting the bonds of cities to cities of 50,000 inhabitants? What good reason can be urged that the bonds of a city of 50,000 inhabitants, when based upon the valuation of its property, are any better than the bonds of two cities of 25,000 inhabitants each, based upon the same valuation of property? I should like to ask the Senator why it would not be perfectly safe to leave the character of the bonds to the discretion of the Secretary of the Treasury?

Mr. ALDRICH. The committee believed that no securities should be accepted by the Secretary of the Treasury that would not be considered to be first-class securities in any market of the country, and that would not be salable in any market in the country.

Mr. McCUMBER. Would not the bonds of a city of 25,000, if found to be legally good and to be based upon a proper valuation, be just as valuable and just as salable as double the amount issued by a city of 50,000?

Mr. ALDRICH. I think the Senator will agree with me that there might be a city anywhere in the country of 25,000 inhabitants whose bonds would be just as good as those of a city of a million or two millions, but they would not have the same currency away from the local institutions that the bonds of the larger city would have.

We have taken as the basis of our action the savings-bank laws of the States which have immense deposits in savings banks, and our purpose was to place the safety of the public money deposited in these banks beyond any question whatever, so that there should be no criticism here or anywhere else as to the nature of the securities.

Mr. McCUMBER. It seems to me that that is rather legislating against the negotiability of the bonds of the smaller cities by not putting them upon a par with the bonds of larger cities.

Mr. ALDRICH. They can not be placed upon a par with the bonds of larger cities in the money markets of the country. That is impossible. We can not by legislation say that the bonds of a city of 25,000 population shall be as good as or better than those of a city of 1,000,000 inhabitants.

Mr. McCUMBER. But pardon me again. Could not the Secretary of the Treasury take that matter into consideration, and, with his knowledge of the character of the bonds, is it not safe to allow him to determine the question whether they are valuable and whether they would not be proper security? Suppose there is one city of 48,000 and another city of 50,000, why should the bonds of the city of 48,000 be unimportant and not be received by the Secretary of the Treasury, while the bonds of a city of 1,000 or 2,000 more inhabitants may be received, although they may not be in reality as good bonds?

Mr. ALDRICH. The committee were anxious as far as possible to limit the discretion of the Secretary of the Treasury. We are constantly—I will not say assaulted—but we are constantly criticised. The Republican party has been, and the Administration of Mr. Cleveland was, by a great many people throughout the United States, for exercising the wide discretion which must necessarily be devolved upon the man who has charge of

the Government finances, and the committee were extremely anxious that this discretion should be carefully guarded and limited so that there could be no question whatever about its exercise.

Mr. McCUMBER. In this proposed law do you limit the county bonds? Are they limited to the number of inhabitants of the county?

Mr. ALDRICH. Oh, yes; to 50,000.

Mr. McCUMBER. In counties?

Mr. ALDRICH. Oh, yes.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Tennessee?

Mr. ALDRICH. Certainly.

Mr. CARMACK. I wish to suggest to the Senator that I think he is mistaken in supposing that bonds of smaller cities, cities of less than 50,000, cities of 25,000 or 10,000 or less than that, can not find ready sale in New York. I think it is true that a number of the smaller cities have issued bonds and found ready sale for them in New York. Cities of not only 25,000, but of 10,000, or even of 5,000, have issued bonds and found ready sale for them in New York.

Mr. ALDRICH. It is undoubtedly true that a town or village might be able to sell its bonds to a customer in New York; but if the customer who bought them should go out and try to sell them in open market he would, in my judgment, find a very limited demand.

Mr. BACON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. ALDRICH. Certainly.

Mr. BACON. I wish to ask the Senator a question which is rather on the other line. Is the question of population really the question which should determine the fact of a city's bonds being security for deposit? Ought there not to be something else? There are large cities with poor credit, and the Senator will note that in this measure there is no reference whatever to the solvency of the city.

Mr. ALDRICH. I beg the Senator's pardon. If he will read further down he will see there is just that provision.

Mr. BACON. Oh, I understand that that is in the bill.

Mr. ALDRICH. He will note that the indebtedness shall not exceed 10 per cent of the valuation.

Mr. BACON. That may be all true. Of course that had not escaped me, because that is a common provision. In fact it is a constitutional provision in my State. So the matter had not escaped my attention. It is nevertheless a fact that in spite even of that, by reason of poor financing or otherwise, the question of the population of a city does not determine the question as to the valuation of the bonds.

Now, the object of my question is not for the purpose indicated by the questions already asked of the Senator, of having the bonds of smaller towns recognized as available as security, but viewing it from a much broader standpoint, here we are engaged in a most important matter, the designation of what security shall be sufficient to justify the Government in depositing its money with the holders of those securities, and it does seem to me that the simple question of the population of a city is not that which should determine the value of its securities.

As to railroad bonds, I will call the Senator's attention to the fact that there is a different rule by which to determine the value of securities. It is not the length of the road or the amount of its capital; it is the record it has made in its ability to declare dividends.

It does seem to me that if the door is to be thrown wide open for the acceptance of the bonds of any city, there ought to be something more than the simple question of population. I should like to have the Senator to explain why is it that in the matter of railroads the question of the value of the securities is determined by the record which the road has made in the declaration of dividends. There is no reference whatever to the size of the road, or the length of the road, or the amount of its capital, or the amount of the issuance of bonds as compared with its capital. In the case of a city the only restriction whatever is the fact that its debt shall not exceed a certain proportion of its total taxable value.

Mr. ALDRICH. I think the Senator has not read the bill. At least that would be the suggestion I should make.

Mr. BACON. I did not hear the Senator.

Mr. ALDRICH. I think if the Senator will read the provisions of the bill in lines 14, 15, and 16 he will find that exactly the same rule is applied to cities that is applied to railroad companies. I will say that the language here used is taken from the New York statute in regard to the securities which may be taken for investment by the savings banks in New York, the limit of 100,000 being contained in the provisions. The committee believed that they were perfectly safe in every way, and conservative.

Now, if the Senate disagrees with the committee in that respect and wants to liberalize this bill in that direction, that is for the Senate to determine and not the committee. The committee believe they have gone as far as we can in this direction in making the public money absolutely safe. The committee have also—

Mr. BURTON. May I interrupt the Senator again to ask a question?

Mr. ALDRICH. Certainly.

Mr. BURTON. In the proposed amendment on page 3, I see that the deposit would be a lien on the assets of the bank. Would it be a prior lien to other depositors? If so, the language is unnecessary.

Mr. ALDRICH. Certainly, it will be a prior lien to other depositors, but not a lien as against what is called a paramount lien, which the Government has for security for circulating notes. It will be a lien secondary to that.

Mr. BURTON. I know, but would it give the Government a prior lien or a paramount lien on the deposits or on the assets of the bank as against ordinary depositors?

Mr. ALDRICH. It certainly would for the balance, for the deficiency which might exist after the securities deposited had been sold, for the balance of the indebtedness, whatever that was. The Government of the United States would have for the first time in the history of the country a lien upon the assets of the bank.

Mr. BURTON. And a prior lien, too, to an ordinary deposit?

Mr. ALDRICH. To an ordinary deposit.

Mr. BURTON. Does the Senator think it is right to give the Government that advantage?

Mr. ALDRICH. Acting for the Government of the United States, yes.

Mr. BURTON. Well, it has the advantage of having the security.

Mr. ALDRICH. I believe that it is incumbent upon us, if we are to deposit the surplus revenues of the United States in national banks, that we should throw around that deposit every possible safeguard which we can devise.

I say, standing here representing the Government of the United States and the safety of its funds, that we ought to have, after the security has been exhausted, a lien on the assets of the bank superior to that of ordinary depositors. That is my judgment.

Mr. TILLMAN. Mr. President—

Mr. BURTON. I was going to say, if I may be permitted by the Senator from Rhode Island—

Mr. TILLMAN. Mr. President—

Mr. BURTON. But I will not interrupt the Senator from South Carolina.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. I do.

Mr. TILLMAN. I was going to suggest that it was hardly fair for me to give way to have the Senator from Rhode Island complete his statement, and—

Mr. ALDRICH. I shall try not to occupy much more time.

Mr. TILLMAN. I was not finding fault with the Senator from Rhode Island, but I was finding fault with my colleagues who are discussing the merits of this bill on various propositions which can come up to-morrow just as well as to-day, because I understand that we are to have no vote on the bill to-day, and if Senators will let the Senator from Rhode Island complete his statement in explanation, whatever he fails to explain to-day he can explain to-morrow or whenever the bill comes up again. I am anxious to proceed with my little essay on the race problem, and should be glad if my brethren would permit the Senator from Rhode Island to finish his explanation and then let me get the floor.

Mr. ALDRICH. I will try not to yield again to prolong the discussion.

Mr. President, the next change suggested by the committee is a provision that banks having deposits of public money must pay interest at the rate of not less than 1½ per cent per annum, the rate to be fixed by the Secretary of the Treasury. This is an entirely new provision in this bill.

Heretofore on these deposits, ranging, as I have already stated, from \$10,000,000 to nearly \$300,000,000, no bank has ever paid one cent of interest to the United States Government for the use of this money, and the committee believe that if they are to retain these privileges it is nothing more than fair that they should pay something to the Government for the use of the money, approximately such compensation as a private depositor would be entitled to receive under the same conditions.

Of course at the present moment, when banks are required to deposit bonds of the United States to the full extent of deposits for security, there is not very much profit to a bank in having a Government account; and most of the banks, especially banks in

the rural and semirural districts, are not owners of Government bonds and therefore can not use them for this purpose. The result has been that such banks—in fact, banks all over the country—have had to borrow bonds from their owners and pay a rate of from one-half to 1½ per cent for the use of the bonds. That certainly is not a healthy condition.

We believe that this provision for allowing other securities to be used in place of the United States bonds will distribute the deposits over various parts of the country. For instance, a bank in Georgia which is entitled, perhaps, in the opinion of the Secretary of the Treasury, to have a deposit of \$100,000 might not have \$100,000 in Government bonds and might not be willing or able to buy them at the present price and still have the transaction remain profitable. It might not be able to secure United States bonds for this purpose, while it might take the bonds of the city of Savannah or of the State of Georgia or the first-mortgage bonds of some railroad company under this provision.

Therefore, the purpose of this bill, and its effect necessarily, would be to liberalize the law so far as the national banks throughout the country are concerned, enabling them to secure some part of the Government deposits.

The committee believe this provision for paying interest is a very desirable and a very wise one. If it goes into effect the revenue from this source paid upon deposits will be two and a quarter millions of dollars a year. I understand that, of course, it will continue so long as the deposits remain. As I have stated—

Mr. PETTUS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Alabama?

Mr. ALDRICH. I do.

Mr. PETTUS. I desire to ask the Senator in charge of this bill a question, and that is, whether the last section of the bill is intended to make national-bank notes a legal tender in payment of all of the debts of the Government except the bonds?

Mr. ALDRICH. It is not; neither are the silver certificates, which are paid out under similar conditions. I will take that up when I get to that branch of the subject, which will be very soon.

The next provision to which I will call attention is section 2 of the bill, which simply gives to the 2 per cent bond that shall be issued for the construction of the isthmian canal the same right in reference to the currency as the present 2 per cent bonds, which are issued under the act of 1900.

Mr. PETTUS. Mr. President, if the Senator will allow me—

Mr. ALDRICH. Certainly.

Mr. PETTUS. I call the attention of the Senator to these words:

And pay out such of them as may be fit for circulation for any of the obligations of the Government.

Mr. ALDRICH. I have not got to that yet, but I will in a moment, if the Senator will permit me. I am now discussing—

Mr. PETTUS. I wish to ask if it is necessary to authorize the Secretary of the Treasury to pay out any money that he has in hand that the debtor is willing to receive when he may do that without this authority, and why is the provision put in here if it is not to be made obligatory upon the creditor to take it?

Mr. ALDRICH. Mr. President, the Senator probably was not able to hear my statement that I had not yet reached that section. I was simply making a statement in regard to the second section.

Now, in reference to the third section and in answer to the suggestion made by the Senator from Alabama [Mr. PETTUS], I will say that all that is done by that section is to authorize the Secretary of the Treasury to do what I think he can do now, but which he thinks he can not do under the terms of the third section of the act approved June 20, 1874. The new section merely says that the Secretary of the Treasury shall use national-bank notes when received into the Treasury precisely the same as he uses any other form of money; that he can take them in and pay them out for indebtedness. It was not intended by the committee, and I do not understand that that is the effect of the language used, to require anybody to take them who does not want them. They are not legal tender, as the Senator from Alabama well knows, and it is not intended to increase one particle their legal functions or the purposes for which they can be used, and in my opinion the language employed in the bill does not do that.

Under existing law silver certificates are received and when redeemed are reissued and used by the Government in the payment of its debts. Now this simply provides that national-bank notes may be used at the discretion of the Secretary of the Treasury in the same way and to the same extent as silver certificates are now used. It was not intended—and I think a reasonable construction of the law does not carry that intention—to make them legal tender or to give to them any rights or privileges except those which they now have.

Mr. BERRY. Will the Senator from Rhode Island permit me to ask him a question?

Mr. ALDRICH. In a moment. As suggested to me by the Senator from Nebraska, this simply provides that national-bank notes shall be received as current funds and paid out as current funds for the ordinary expenses and obligations of the Government.

Mr. BERRY. Will the Senator now permit me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. BERRY. Will the Senator state what benefit will be derived from this provision and why is it desirable to enact it? How will it be different from the existing law, and what advantage will come to the country and to the Treasury Department from it?

Mr. ALDRICH. The advantage that will come to the country from it is that under existing law these notes are sent rapidly into the Treasury Department in times of stringency, redeemed, sent to the bank, and canceled, and the effect is to reduce arbitrarily and often unwisely the volume of currency of the country. That, I think, neither the Senator from Arkansas nor myself is desirous of doing. In other words, under the machinery of the existing law an absolute contraction of the currency is brought about, when the country itself and all of its interests would be better served by an expansion. Does that answer the Senator's question?

The Senator from Kansas [Mr. BURTON] asks me whether under this bill the Secretary of the Treasury could select a bank in a small town as a depository of Government funds. He certainly could and he certainly would in case there was a demand for it. There could be and would be no discrimination in that respect, and I think a Secretary of the Treasury who should show any discrimination under this bill if it becomes a law would be properly liable to impeachment, because this power is not given to him for the purposes of favoritism or discrimination.

I have tried to explain the various provisions of this bill as clearly as I can. It is simply a business proposition; it is not an enlargement of the currency; it is not entering an untried field, but it is doing in a simpler way what is done now.

There is no question of partisanship involved in this proposed legislation. In the Committee on Finance it was taken up and considered by the Democratic and Republican members alike, with a view of making a few small changes that we could all agree upon in the existing system and in existing conditions, without going into any of the vexed questions which divide parties or divide sections or which would arouse a discussion of economic questions which would be interminable.

Mr. BACON. I should like to ask the Senator if he will accept an amendment which I desire to offer, and which I shall now read, to be inserted at such place in the bill as he may think proper?

Mr. TILLMAN. Apparently this discussion is going to continue all the evening, and I feel obliged to insist that Senators will either allow the Senator from Rhode Island [Mr. ALDRICH] to get through, or I will take the floor on this bill.

Mr. ALDRICH. I appeal to the Senator from South Carolina to allow the Senator from Georgia to read the amendment he proposes to offer.

Mr. TILLMAN. The Senator can do that to-morrow. I do not want to be discourteous to the Senator, but it is not fair to me to keep me whipsawed in this way, when I had an understanding at the time the Senator from Rhode Island rose to take the floor that he would make an explanation, and if that did not explain, we would ask him to explain his explanation to-morrow. [Laughter.]

Mr. BACON. I should have been through before now if the Senator from South Carolina had not interrupted me. I will now read the amendment which I propose to offer as an additional section:

The Secretary of the Treasury shall report to Congress at the beginning of each session thereof the amounts deposited under the authority of this act during the twelve months next preceding, the name of each bank in which a deposit has been made, the amount of money thus deposited with each bank, the length of time during which such deposits were made, and in each instance a statement in detail of the bonds accepted as security for said deposit and the interest paid thereon to the Government.

Mr. ALDRICH. I think that is a very wise amendment, and I suggest that it be put in the bill wherever it will be appropriate.

The PRESIDENT pro tempore. The Chair understands that the bill is to go over until to-morrow.

Mr. ALDRICH. Yes; but I will first ask, Mr. President, as the copies of the bill are exhausted in the document room, that there may be ordered a reprint of the bill as amended.

The PRESIDENT pro tempore. Did the Chair understand the Senator from Rhode Island [Mr. ALDRICH] to accept the amendment proposed by the Senator from Georgia [Mr. BACON] just now?

Mr. ALDRICH. Yes.

The PRESIDENT pro tempore. So that that amendment will appear as accepted?

Mr. ALDRICH. Yes.

The PRESIDENT pro tempore. The Senator from Rhode Island asks that the bill may be reprinted as amended. Is there objection? The Chair hears none, and that order is made.

STATEHOOD BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12543) to enable the people of Oklahoma, Arizona, and New Mexico to form constitutions and State governments and be admitted into the Union on an equal footing with the original States.

Mr. QUAY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Pennsylvania?

Mr. TILLMAN. I want to know what is the order of business before the Senate, Mr. President.

The PRESIDENT pro tempore. The omnibus statehood bill is before the Senate as in Committee of the Whole.

Mr. TILLMAN. Then I want the floor on that, but I will yield to the Senator from Pennsylvania [Mr. QUAY] for a moment.

Mr. QUAY. I wish, Mr. President, to ask unanimous consent of the Senate that on to-morrow at 2 o'clock p. m., without further debate, the vote be taken on this bill, on the amendments now pending, and on those that then may be offered.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that to-morrow afternoon at 2 o'clock the final vote be taken on the pending bill, on the amendments then pending, and on all amendments then offered, without further debate. Is there objection?

Mr. NELSON. I object, Mr. President.

The PRESIDENT pro tempore. The Senator from Minnesota objects.

Mr. TILLMAN. Mr. President, when I yielded the floor yesterday I was discussing the political aspect of the race question. I wish to add a few facts and observations to that phase of the subject before I proceed with the broader and more important phases of this complex problem.

Mr. McLAURIN of Mississippi. Will the Senator allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. TILLMAN. I do.

Mr. McLAURIN of Mississippi. Before the Senator proceeds with the discussion of this matter I desire to call attention to page 2513 of the RECORD, lest by my silence I may be taken as acquiescing in the remark of the Senator from South Carolina yesterday, which is printed in the RECORD on the page to which I have referred. I could not well catch all that he said, and so I did not notice the statement to which I am about to refer in his speech yesterday. I hope it will not be necessary for me to take the floor again on this question, and for that reason I ask to correct the statement now. This language was used by the Senator from South Carolina in speaking of the Indianola people:

They have created a little post-office of their own, personal and private, at which the mail thus brought, for white people only, mark you.

The portion of this sentence which I desire to correct is that part which states that the mail is to be brought for white people only. While I have no direct testimony on this point—

Mr. TILLMAN. Mr. President, if the Senator will allow me there, I was merely giving my general impression in regard to the status of Indianola from a statement or an interview or something which I saw in the Washington Post. If I am in error I shall be glad to be corrected, for I would not do the good people of that community wrong in one single instance. If they are bringing the mail for all the citizens of Indianola without regard to race, color, or previous condition, I am glad to know it.

Mr. McLAURIN of Mississippi. As I understand, there has been an arrangement made by the white people of Indianola for the carrying of the mail twice a day to Heathman and for bringing the mail from Heathman to all the people of Indianola, and that this carrying and bringing of the mail is for whites and negroes indiscriminately; that any person in Indianola who has any mail to go can send it by this messenger to Heathman and have it posted there; that any mail that comes to Heathman for any person living in Indianola, or who before the abolishment of the post-office received his mail at Indianola, is brought from Heathman by this messenger; that they have a white postmaster, a lady who lives in Indianola, and attends to this as if it was a regular post-office, except that it does not have any sign or anything to indicate that it is a United States post-office.

There is another thing, if the Senator from South Carolina will indulge me for a moment, to which I should like to call attention. The Senator from South Carolina seems in this language to take issue with the position I took in my discussion of the legal aspect of this case—

Mr. TILLMAN. From what page of the RECORD is the Senator now about to read?

Mr. McLAURIN of Mississippi. Page 2512. On that page the Senator from South Carolina said:

The Senator from Wisconsin and the Senator from Mississippi had some disagreement about the mass meeting. I do not pretend to determine which of them has the better part of the law in this matter. I suppose our Constitution guarantees the right of the people to assemble peaceably and petition for redress of grievances. The question might arise, and I have no doubt it would arise in the mind of a lawyer, whether that meant a petition to somebody which was local or to a central authority, the President or the Congress, or to some one having power to redress grievances. I will leave out that question.

Mr. President, this right to assemble and petition is not a right that is granted by the Constitution of the United States, as I tried to demonstrate in the speech I made heretofore on this question. The right to peaceably assemble and to consult about our public affairs is a right that existed before the Constitution of the United States existed, a right natural and inherent in every free people.

The first amendment to the Constitution guarantees that this right shall not be abridged, but it does not grant any right that did not exist before. I read from the case of *The United States v. Cruikshank et al.* the opinion of the Supreme Court of the United States delivered by Chief Justice Waite. I did not read extensively from it; but in order that my position may be known on this subject, and because it is better expressed by the Chief Justice than I can express it myself, I will again read it. I will read more copiously from that decision. I read from page 551 of 92 United States Supreme Court Reports. Speaking of this right, Chief Justice Waite said:

The right of the people peaceably to assemble for lawful purposes existed long before the adoption of the Constitution of the United States. In fact, it is and always has been one of the attributes of citizenship under a free government. It "derives its source," to use the language of Chief Justice Marshall, in *Gibbons v. Ogden*, 9 Wheat., 211, "from those laws whose authority is acknowledged by civilized man throughout the world." It is found wherever civilization exists.

That is this right to meet, the right of the people to peaceably assemble and consult about their public affairs, and to petition for a redress of grievances, to petition anybody. The Constitution only guarantees that Congress shall not take away this right, so far as it pertains to the right to peaceably assemble and petition for a redress of grievances. The right that existed unlimitedly before is a right that is natural and inherent in all free people and in all republican forms of government, and it is a right which it has never been attempted by Congress or any other authority to abridge so far. So that it is not necessary to invoke the Constitution in aid of this right to peaceably assemble and petition anybody, whether it be the President of the United States or the Congress of the United States, or any part of any department of the United States Government.

The Chief Justice continues:

It was not, therefore, a right granted to the people by the Constitution. The Government of the United States, when established, found it in existence, with the obligation on the part of the States to afford it protection.

The obligation he is noticing here is upon the States to afford protection to this right to peaceably assemble and petition for the redress of any grievances, and the Constitution guarantees that this right shall be maintained, and that it never shall be abridged.

As no direct power over it was granted to Congress, it remains, according to the ruling in *Gibbons v. Ogden* (id., 206) subject to State jurisdiction. Only such existing rights were committed by the people to the protection of Congress as came within the general scope of the authority granted to the National Government.

So that the Constitution does not grant any right to anybody. The Constitution never granted any privileges to the people; the Constitution is merely an instrument delegating certain power and certain authority to the General Government, and limiting the power of the General Government to that which is delegated to them by the Constitution, which is the compact of our Union.

The Chief Justice further says:

The first amendment to the Constitution prohibits Congress from abridging "the right of the people to assemble and to petition the Government for a redress of grievances." This, like the other amendments proposed and adopted at the same time, was not intended to limit the powers of the State governments in respect to their own citizens, but to operate upon the National Government alone. (*Barron v. The City of Baltimore*, 7 Pet., 230; *Lessee of Livingston v. Moore*, id., 551; *Fox v. Ohio*, 5 How., 434; *Smith v. Maryland*, 13 id., 76; *Withers v. Buckley*, 20 id., 90; *Pervear v. The Commonwealth*, 5 Wall., 479; *Twitchell v. The Commonwealth*, 7 id., 321; *Edwards v. Elliott*, 21 id., 557.) It is now too late to question the correctness of this construction. As was said by the late Chief Justice, in *Twitchell v. The Commonwealth* (7 Wall., 325), "the scope and application of these amendments are no longer subjects of discussion here." They left the authority of the States just where they found it, and added nothing to the already existing powers of the United States.

The particular amendment now under consideration assumes the existence of the right of the people to assemble for lawful purposes, and protects it against encroachment by Congress. The right was not created by the amendment; neither was its continuance guaranteed, except as against Congressional interference. For their protection in its enjoyment, therefore, the people must look to the States. The power for that purpose was originally placed there, and it has never been surrendered to the United States.

The right of the people peaceably to assemble for the purpose of petitioning Congress for a redress of grievances, or for anything else connected with the powers or the duties of the National Government—

That is, the right to assemble "for anything else connected with the powers or the duties of the National Government"—

is an attribute of national citizenship, and, as such, under the protection of, and guaranteed by, the United States. The very idea of a government, republican in form, implies a right on the part of its citizens to meet peaceably for consultation in respect to public affairs and to petition for a redress of grievances.

Now, the point I want to make is that the people of Indianola had an inherent right—that is what I tried to make plain and intelligible to the Senate—had an inherent right to assemble, as they did assemble, and to appoint a committee of three, as they did appoint a committee of three, for the purpose of obtaining signatures to a petition to the postmaster at Indianola, asking her to resign, and that in doing so they were doing that which they had an inherent and a natural right under our form of government to do; that they did not get that right from the Constitution; that it was a right which existed before the Constitution existed, and that the Constitution had nothing to do with it at all, except if Congress were to undertake to abridge that right in any way, it could not abridge it to the extent which would prohibit the people from petitioning for the redress of grievances; but that inasmuch as Congress never has undertaken to pass any law with respect to it at all, the right to petition this woman was as broad as the right to petition Congress, or to petition the President of the United States, or any other authority; that they had violated no law; that they had done nothing except what they had a constitutional right to do, and that all the people of Indianola had done this, and for doing this their post-office facilities were cut off, and not only their post-office facilities, but the post-office facilities of everybody else who had any post-office business, epistolary correspondence, or any newspaper correspondence, with the people of Indianola; that this post-office did not belong to the people of Indianola alone, but that everybody had an interest in it who had correspondence with any citizen of Indianola; and that when it was broken up it was the breaking up of the post-office facilities of all the people of Indianola and of such people in any other part of the United States, whether in New York, Pennsylvania, Chicago, New Orleans, Memphis, or anywhere else in the United States, as had business correspondence with the people of Indianola.

Now, that is what I was trying to make clear in order to make my position plain and understood.

Mr. TILLMAN. Mr. President, as I had expressly refrained from undertaking to pass an opinion upon the conflicting and diametrically opposed contentions of my two legal friends, the Senator from Wisconsin [Mr. SPOONER] and the Senator from Mississippi [Mr. McLAUREN], I do not see why I should be charged with endeavoring even by implication to side with either. I merely expressed a general idea. Being no lawyer, I can give only a rather vague and indefinite expression of my view. What little law I know I have absorbed. But I still think that whatever the Constitution guarantees must be a part of it, and when the guaranty was that the right to assemble peaceably and to petition for the redress of grievances should not be abridged, I think that that was practically saying, "They shall have this right forever." But the Senator from Mississippi feels that he must make himself clear, and I think everybody understands his contention. I agree with him entirely that it would be splitting hairs to say that the people of Indianola had committed an unlawful act in coming together as they did and setting in motion machinery to give an expression of opinion by the citizens in regard to the post-office.

It is true I quoted yesterday an act which was placed upon the statute books in the reconstruction era applicable to this very condition, and I judge if any action should be brought in the courts to determine whether that act was constitutional, whether any crime, any conspiracy had been organized at this mass meeting, it could be settled. My main desire was to make known my opinion and belief that the President and the Postmaster-General had transcended their authority and had used tyrannical and unconstitutional and illegal methods in dealing with the Indianola post-office as they did.

Now, I am not going to deal in technicalities here, but as the Senator has brought that matter up, I will return to it for a moment to read some expressions of opinion on the part of leading Northern newspapers, leading Republican newspapers, on this subject. First, the New York Tribune, in discussing the general question of negroes holding office, said:

The question of negro officeholding in the South is a difficult one. Many leading negroes believe the negroes better off if they avoid politics. The duty of the Government is to get its business transacted properly and to the satisfaction of the public concerned. The Government can not admit that one citizen's rights are inferior to another's; nevertheless the wisdom of putting a good man where he will not fit, simply to assert the right to put him there, is debatable, and a vote against putting him there does not prove any readiness to reestablish slavery.

Then we have the New York Mail and Express. In discussing this topic it uses this language:

If the country can not afford to see all official opportunity denied to a man because he is colored, it can not, on the other hand, in the least afford to see a candidate put forward, excused, and defended merely because he is colored.

Then we have Harper's Weekly:

The question is: "Shall the military power of the United States be used to force a colored official upon a community against the unanimous protest of its white inhabitants?" If this question be answered in the affirmative, we may have to face a renewal of the civil war.

We doubt the expediency of raising such an issue. We regret to add that there is a trace of vindictiveness and provocation in the course pursued by the Post-Office Department which has compelled the citizens of Indianola to obtain their mail at a post-office 30 miles away instead of at another only 4 miles distant.

Conceding, for the sake of argument, that the inhabitants of Indianola had defied Federal authority—which is not clear, since no threat of violence was made, and Mrs. Cox seems to have resigned her office voluntarily—we doubt the constitutionality of the measure taken by Mr. Roosevelt.

He could, unquestionably, have appointed another negro to the post-office at Indianola and upheld him with the judicial and military powers of the Federal Government.

But where does he get the right to deprive an American community of postal facilities, the cost of which it helps to defray? We sincerely hope that the real, though unavowed, motive of the attempt to discipline the citizens of Indianola is not, instead of being a somewhat belated resolve to enforce rigorously the privileges granted to colored persons by the reconstruction amendments of the Constitution, a bid for the colored vote in certain Northern States where it holds the balance of power.

Does Mr. Roosevelt imagine himself to be a truer friend of the colored race than Booker T. Washington, who has repeatedly advised his brethren to forego officeholding or office-seeking in that section of the country which resents even an approach to negro domination?

I have read those extracts from these exponents of Northern opinion for the purpose of showing that there is a saner view, a more patriotic, a more conservative, and a more just view of the difficulties which beset us of the South than has obtained heretofore.

Discussing as I have been doing the question of motives, and I deal with motives here very reluctantly, but following the thought I have just read from Harper's Weekly as to whether or not the purpose of this new-born zeal, this cold-blooded, calculating, advisedly taken action has any such low motive, I hold in my hand the figures of the last census, giving for each State of the Union the persons of negro descent, together with the number of male persons of voting age. I shall not read it all, but I shall put it in the RECORD as a matter of information to those who wish to make calculations and comparisons and deductions. I will merely call off a few of the States which are doubtful, and let the people judge for themselves whether or not the suspicion which is in the mind of the editor of Harper's Weekly has any foundation in fact.

Maryland has 60,000 negroes of voting age; Pennsylvania, 51,000—I am using round figures only—New York, 31,000; Ohio, 31,000; Illinois, 29,000; New Jersey, 21,000; Kansas, 14,000; West Virginia, 14,000; Delaware, 8,000.

Mentioning these States for the purpose of directing attention to them specially, I will give the full table:

State or Territory.	Persons of negro descent, 1900.	Negroes of voting age, 1900.
Georgia	1,034,813	223,073
Mississippi	907,630	197,936
Alabama	827,307	181,471
South Carolina	782,207	152,860
Virginia	630,722	143,122
Louisiana	650,804	147,384
North Carolina	624,469	127,114
Texas	620,722	133,875
Tennessee	480,243	112,236
Arkansas	366,856	87,157
Kentucky	284,786	74,728
Maryland	235,064	60,406
Florida	230,730	61,417
Missouri	161,234	46,418
Pennsylvania	156,848	51,668
New York	99,232	31,425
Ohio	96,901	31,235
District of Columbia	86,702	23,072
Illinois	85,078	29,762
New Jersey	69,844	21,474
Indiana	57,505	18,186
Kansas	52,003	14,685
West Virginia	43,499	14,786
Indian Territory	38,853	9,146
Massachusetts	31,974	10,456
Delaware	30,697	8,374
Oklahoma	18,831	4,827
Michigan	15,816	5,193
Connecticut	15,226	4,576
Iowa	12,633	4,441
California	11,045	3,711
Rhode Island	9,092	2,765
Colorado	8,570	3,212
Nebraska	6,296	2,298
Minnesota	4,956	2,168
Wisconsin	2,542	1,006
Washington	2,514	1,230
Arizona	1,848	1,084
New Mexico	1,610	775

State or Territory.	Persons of negro descent, 1900.	Negroes of voting age, 1900.
Montana.....	1,523	711
Maine.....	1,319	445
Oregon.....	1,105	560
Wyoming.....	940	481
Vermont.....	826	289
Utah.....	672	358
New Hampshire.....	662	230
South Dakota.....	465	184
Idaho.....	293	130
North Dakota.....	286	115
Hawaii.....	233	93
Alaska.....	168	141
Nevada.....	134	70

Let any student of politics take the statistics of the last election, or the last three elections, and place alongside of these figures the majorities which were obtained, and judge for himself. I have not added up the figures, but I stand here to say that it is perfectly clear to my mind that the presence in the border States on both sides of the old Mason and Dixon line, the Ohio and the Potomac, of negroes in the numbers that are shown to exist, proves that there are some six or seven hundred thousand of them, all told, and that it is the influence, the coercion, if I may use the term, of this small fragment or fraction of the race that appears to be behind the President's policy. In other words, 800,000 negroes, if there be so many, are coercing 50,000,000 white people at the North to deal with 17,000,000 white people at the South in the interest of 8,000,000 ignorant negroes down there.

I might comment with some degree of dissatisfaction upon this unpleasant fact; I might ask whether blood is thicker than water; but I do not wish to dwell too long upon the political side of this issue. I wish, however, to call attention to this fact: If you should call the roll of every man who wore the gray in the unfortunate civil strife which ended thirty-seven years ago—that gallant band of heroes who went to death for what they believed to be their rights—I am absolutely certain you could not get a response from 200,000 of them. The rest have "crossed over the river" and are resting with Jackson and Lee. This being true, it occurs to me to ask you Senators from the North when the war is to terminate, or is it ended now? This generation of Southern men had nothing to do with the bringing on of that war. The generation which fought the war were not responsible for slavery. Slavery is dead and gone and the Union is restored. I know of no man in the South who would restore slavery if he could. The whites were emancipated from a thralldom of ignorance and debasing conditions, which was as much to their advantage as was the emancipation of the negroes.

But consider, if you please, how many more generations are to come and go, confronted as they are by the fourteenth and fifteenth amendments, which were put upon the Constitution as the reaping of the fruits of the unfortunate fratricidal strife, and say whether they are to be forever in the grasp of a political machine which ignores the fact that they are Anglo-Saxons as well as you; that they have that same feeling of caste which you have in a less degree, but that their sentiments and prejudices and inherited feelings of whatever character are ignored, and in several of the States they are constantly face to face with a condition without example in history, where a minority of white men are forever facing a situation in which their liberties and civilization may be jeopardized by the negro vote.

We have had three race problems in the nation's history. By common consent, North and South, we have acted upon the policy that there were no good Indians except dead ones. We have pushed the red man backward, westward, ever, ever westward, until by the overpowering, thronging white population the red men have been practically destroyed and the small remnant of those great tribes which once owned this continent are now corralled upon their reservations, without hope and without liberty or "equality." A few thousand, mainly mixed blood, are being given in the Indian Territory some little recognition of the obligations of this Government in parceling among them in severalty the lands set apart for those who had been transported across the Mississippi. In a few years those lands will also be owned by the palefaces.

Next we had the Chinese coming in from the Pacific, swarming over to develop our mines and build our railroads. But as soon as the competition between the Celestials and the Americans became sharp a universal demand arose that the Chinese should be excluded, and notwithstanding the fact that they are superior in every respect to the negroes, they have been kept out.

The negro alone of the three races other than the white with which we have had to deal as a people has excited a sympathy born of sentiment and his condition of slavery and has produced a conflagration the recollection and the magnitude of which will be a memory to be regretted by this people during the balance of

their history, and history has no record of so grand and great a struggle in all its annals.

What has this race question, this negro question, cost us as a people? Speaking in general language, I want to remind you that from the very best sources of information I can get the cost in men—brave, gallant, heroic, patriotic men, the very flower of our country on both sides—was a half million or more. In money and property the least estimate is five billion dollars. Of the blood and the tears and the misery, the horrors of civil strife, I shall make no mention. But when we recall the facts which I have just repeated to you as to what this race problem has already cost us, and shall dwell as I shall do later on upon the conditions now confronting us, I ask you to meet me upon the same plane of patriotism, of race pride, and of civilization, and not to fall into the dirty cesspool of partisan politics. Ignorance and fanaticism were responsible for the Civil War. Have we not statesmanship to avoid the more direful struggle which threatens?

Returning to the thread of my story, because I want to get all the evidence in, for I am going to try this case just as impartially as if I myself was before the bar of God, I want to read you an extract from a letter published by the President of the United States on the 27th of last November. It was written in answer to two letters which he had received from some gentlemen in Charleston discussing a Federal appointment. Mr. Roosevelt in this communication uses the following language:

The great majority of my appointments in every State have been of white men. North and South alike it has been my sedulous endeavor to appoint only men of high character and good capacity, whether white or black. But it is and should be my consistent policy in every State, where their numbers warranted it, to recognize colored men of good repute and standing in making appointments to office. These appointments of colored men have in no State made more than a small proportion of the total number of appointments. I am unable to see how I can legitimately be asked to make an exception for South Carolina. In South Carolina, to the four most important positions in the State, I have appointed three men and continued in office a fourth, all of them white men—three of them originally Gold Democrats—two of them, as I am informed, the sons of Confederate soldiers. I have been informed by the citizens of Charleston whom I have met that those four men represent a high grade of public service.

I do not intend to appoint any unfit man to office. So far as I legitimately can I shall always endeavor to pay regard to the wishes and feelings of the people of each locality; but I can not consent to take the position that the door of hope—the door of opportunity—is to be shut upon any man, no matter how worthy, purely upon the grounds of race or color. Such an attitude would, according to my convictions, be fundamentally wrong. If, as you hold, the great bulk of the colored people are not yet fit in point of character and influence to hold such positions, it seems to me that it is worth while putting a premium upon the effort among them to achieve the character and standing which will fit them.

The question of "negro domination" does not enter into the matter at all. It might as well be asserted that when I was governor of New York I sought to bring about negro domination in that State because I appointed two colored men of good character and standing to responsible positions—one of them to a position paying a salary twice as large as that paid in the office now under consideration; one of them as a director of the Buffalo exposition. The question raised by you and Mr. — in the statements to which I refer is simply whether it is to be declared that under no circumstances shall any man of color, no matter how upright and honest, no matter how good a citizen, no matter how fair in his dealings with all his fellows, be permitted to hold any office under our Government. I certainly can not assume such an attitude, and you must permit me to say that in my view it is an attitude no man should assume, whether he looks at it from the standpoint of the true interest of the white man of the South or of the colored man of the South—not to speak of any other section of the Union. It seems to me that it is a good thing from every standpoint to let the colored man know that if he shows in a marked degree the qualities of good citizenship—the qualities which in a white man we feel are entitled to reward—then he will not be cut off from all hope of similar reward.

Without any regard as to what my decision may be on the merits of this particular applicant for this particular place, I feel that I ought to let you know clearly my attitude on the far broader question raised by you and Mr. —, an attitude from which I have not varied during my term of office.

I have read this letter, Mr. President, for the purpose of giving to you that broad and high view which the President maintains. I want to be entirely just and fair to him. I have no purpose by implication or indirection to attack his motives, but I want to show how superficial is the view, how little and small and infinitesimal is the knowledge behind such a view.

First opening up the evidence, I want to say here and now that the facts I can bring to bear are overwhelming which go to prove that the masses of the Northern people have no more use for the colored man at close quarters than we have. If you occupy this attitude by reason of caste, the fact that you have not been brought in contact with negroes and you know nothing about them, still, let that number be ever so small, wherever there are any of them this race prejudice or caste feeling exists.

I have here a letter which appeared in the Washington Post a few days ago from a South Carolinian, a colored man by the name of Samuel H. Blythewood, describing his treatment and the environment to which he is subjected in the city of Philadelphia.

SIR: I am a colored man, a mechanic by trade. There is nothing in the line of a house in wood that I can not make. I can build all the stairs, windows, make the sashes, blinds, and doors. I can build a house from the ground up and turn the keys over to the owner completed. I can draw the plans, make the blue prints, make the specifications, and give estimates. Yet I am debarred from employment on account of my color. The prejudice in this city is strong against me, much stronger than in the place I came from. No one wants me because I am a colored man. Why is this? I am 37

years old. I drew the plans of the colored church on Tasker street, above Twentieth. My name is on the corner-stone. I built the State Colored College of Orangeburg, S. C., and I have built cottages in Orangeburg and for the mayor of Beaufort, S. C., but still I am debarred from employment in Philadelphia.

SAMUEL H. BLYTHEWOOD.

I have here a copy of the Hartford Daily Courant of March 28, 1902. It relates the pitiful condition of a well-to-do colored man by the name of Edwards, who owned a home immediately adjoining a school. The school board wanted his land to enlarge the playground or something. They bought it, and then he tried to go somewhere and buy another home. Here, in brief, is his experience:

MR. EDWARDS'S HOME—HAVING SOLD IT, HE HAS TROUBLE GETTING ANOTHER—HARD LUCK OF A RESPECTABLE COLORED MAN IN TRYING TO BUY OR RENT A HOME FOR HIS FAMILY.

William B. Edwards is one of the best known colored men in Hartford, a modest, retiring man, intelligent and self-respecting. He is employed by the Hartford Fire Insurance Company as messenger and janitor, and is well known to nearly everyone in the city as the janitor of the Center Church. Just now he is looking for a home for himself and family, and has hard luck in buying or renting.

Mr. Edwards is at present living at No. 44 Wadsworth street, where he has made his home for the past twenty years, but having sold the house to the South School district, whose property it adjoins, he has been asked by the district committee to vacate as soon as possible; and this he is trying to do, but without signal success. To begin with, Mr. Edwards does not think he has been used quite fairly by the district in the purchase of the house. It seems that some years ago Mr. Baker, then chairman of the district committee, approached him with the statement that the district would probably want his house some time. Nothing happened under Mr. Baker's administration in the way of getting the property, however, and not until Gen. H. C. Dwight was chairman did negotiations for the house begin. Mr. Edwards was asked what he considered his property worth, and after consultation with Gen. William H. Bulkeley as to the probability of the district's ever buying it, he fixed the figure at \$5,500.

Another property directly in the rear of Mr. Edwards's lot is owned by Alonzo Edwards, who is a white man. This lot faces on Hudson street, and adjoins the school property very much as Mr. Edwards's property does. Mr. Edwards says he considered that his property was worth more than the Alonzo Edwards property, as it has a frontage of 90 feet and a depth of 153 feet, while the Hudson street property has a frontage of only 60 feet. At a meeting of the district held two years ago General Dwight reported that the Edwardses, both the colored and the white Edwards, wanted exorbitant prices for their property, and that the district ought not to buy at the figures. The proposed purchase was dropped, and just before the June meeting of the district in 1901 Mr. Edwards was again approached, this time by Mr. Hansling, of the committee, as to what he would sell his property for. This time Mr. Edwards referred the matter to ex-Governor Bulkeley, but there was no satisfactory action taken by the meeting.

Mr. Edwards says that late in the fall of 1901 a real estate agent approached him on the matter and worried him a great deal about it. Finally he went to General Dwight and said that he wished to sell directly to the district and not through an agent. He was asked his lowest figure and said it was \$5,500. The reason the figure was placed so low was that he was nervous and worried and had family afflictions and he agreed to let it go. At the same time he expected that he would be used as well as his white namesake. A meeting of the district was called and it was voted to buy both lots. No papers had been passed before he ascertained, as he says, that the district was going to pay Alonzo Edwards \$7,000 for the Hudson street lot. He was worked up over this and consulted friends, saying that he did not think the district was using him right, and suggesting that he withdraw from the bargain. His friends advised him to stick to it and the house was sold to the district at the figure named. The house, which Mr. Edwards had bought of the Connecticut Mutual Life Insurance Company twenty years ago, had passed from his hands. To his surprise he read in a few days that the Alonzo Edwards property had been bought by the district for \$8,000. "Then I kicked," he says. "But it was too late."

But this is but the beginning of the story. Mr. Edwards immediately set himself about getting another home. Consulting Fred M. Lincoln, real estate agent, he got track of a new house down on Adelaide street and made a bargain to buy it for \$3,250, the trading being done by the agent. The sum of \$250 was paid to bind the bargain, and when the deed was prepared Mr. Edwards inspected it, and the owner of the property, a Mr. Kerns, came into the office of Francis Chambers to sign the document. Mr. Edwards was not in evidence, and left the office, supposing that the matter was adjusted. In the evening of last Thursday, however, some one met him on the street and told him that Kerns would not sign because the proposed purchasers were colored. He went to Mr. Chambers's office at once and Mr. Kerns was there, and the conversation between Mr. Chambers and Mr. Kerns was something like this:

"Did you not agree to sell this property through Mr. Lincoln to any respectable person?"

"Yes."

"You did not tell the agent not to sell to a Chinaman?"

"No."

"Nor to a Japanese?"

"No."

"You didn't tell Mr. Lincoln to sell to a Yankee and to no one else?"

"No."

"You didn't tell him not to sell to a negro?"

"No; I told him to sell to a respectable person; that's all."

"Well," said Mr. Chambers, "I have known Mr. Edwards many years and he is as respectable as any man of my acquaintance."

Just then Mr. Edwards stepped inside the office and Mr. Kerns "scotched out," to use Mr. Edwards's language, and Edwards has not seen him since. Mr. Lincoln returned the bargain money of \$250 to Mr. Edwards and that transaction was closed, unfortunately for Mr. Edwards.

Another phase of the story was yet to develop. Mr. Edwards saw an advertisement in one of the evening papers to the effect that three tenements were to rent at No. 35 Sumner street, with the further information "to colored people only. Large families no objection." He thought the name of the street sounded rather large, but he investigated and found it to be the house of A. Goodman. He said to Mr. Goodman that if he really meant to have colored people live in his house he would like to rent it, but cautioned him that it would be to the disadvantage of the property for him to do so, owing to the prejudice against color. Mr. Goodman replied that the neighbors had found fault with his children and insulted them, and that he was going to let them live beside colored people and see how they would like that. Mr. Edwards assured him that his family was respectable, and that the only difficulty was that their skin was black.

He thought the rent was secured, and was congratulating himself on getting it, when on Monday Mr. Goodman appeared in distress, saying that the bank was going to call in its loan on the property. Mr. Edwards said that under those conditions he would not take the rent. Mr. Goodman assured him that if he could arrange the matter the rent was still his. Mr. Edwards told him the mistake he made was in putting such an advertisement in the papers. It had set the neighbors wild, and they had made a move against him. He did not suppose there would have been any objection to his living there, but "colored families only with large families" was something the people would resent. There the matter rests, and Mr. Edwards is still hunting for a comfortable rent for a respectable family of color.

Next I have a copy of the Boston Globe of June 2, 1902. I will read the headlines and merely print and insert, with the permission of the Senate, two articles. The first is as follows:

FEELING IS VERY BITTER—HOWARD AND MARSHALL GET SCANT COURTESY—COLORED BOYS AT EXETER ARE TREATED BY STUDENTS WITH CONTUMELY—RESENTMENT SHOWN OVER THEIR WITHDRAWAL FROM THE ATHLETIC TEAM.

EXETER, N. H., June 1, 1902.

It is the general belief in town that if Howard and Marshall, the colored boys until recently in the squad, were good enough to represent the school at the meet they were good enough to eat at the training table, and their resentment of insults by leaving the team is generally commended.

In student circles, however, feeling against them is very bitter, and in the march of the school from the campus after the meet they were treated with contumely.

This was in direct variance with the Exeter spirit. Twice has a colored man been elected class-day orator, and colored men, notably Jones, the star tackle, Lawton, Syphax, and Marshall, now a Boston lawyer, have repeatedly represented Exeter on elevens, nines, and track teams, eating at training tables.

It is almost a certainty that Howard would have won the mile in yesterday's meet, and that Marshall would have taken third place in the shot put. He was a substitute on last fall's eleven and was given an "E," being the single man who did not play in the Andover game to gain the distinction.

An unintentional omission was made in yesterday's report of the meet. McGovern and Marshall, of Andover, who tied for second place in the high jump at 5 feet 7½ inches, should have been credited with breaking a dual meet record, 5 feet 6 inches, established in the 1900 meet by Connor, of Exeter, and Botchford, of Andover.

The same Boston paper contains the following:

WOMAN ATTACKED—PLUCKY GIRL ESCAPED FROM NEGRO—MISS MARY R. GREEN DEFENDED HERSELF BRAVELY—WAS IN HER UNCLE'S GROUNDS AT WORCESTER—BURLY RUFFIAN TRIED TO DO HER VIOLENCE—FLED, BUT WAS CAPTURED A FEW HOURS AFTERWARDS.

WORCESTER, June 1, 1902.

Mary R. Green, 28 years old, a niece of Andrew H. Green, of New York, was attacked by a burly negro on the grounds of her uncle, Martin Green, of Green Hill farm, this afternoon, and escaped from his clutches only after a most terrible struggle.

The man was drunk at the time, and to his condition as well as to the plucky fight put up in defense is due the escape of the young woman. She fought her assailant for five minutes, and then, frightened by her calls for help, the negro fled to the woods. He was captured three hours later.

The news of the assault did not spread, and few knew of it outside of the police, to whom it was reported at once, but this evening, when the news was circulated, there was great excitement.

Miss Green is a daughter of the late Dr. Samuel F. Green, for many years a missionary to India. She lived with her uncle, Martin Green, on his summer estate. She went to the Sabbath school of the Central church and was returning soon after 1 o'clock when she was attacked.

Green Hill is situated on the east side of Lincoln street, in the north part of the city, and the Green estate embraces many acres. The entrance gate is at the end of Green lane, which extends from Lincoln street, and Miss Green had entered the grounds to walk up to the house.

She had not gone far when she saw the man walking down the avenue from the house, but she paid no attention to him, as it is not uncommon for strangers to stroll through the grounds.

She was about to pass him when he rushed upon her and violently threw her to the ground. The young woman struggled and called for help, but this seemed only to exasperate the miscreant, who tore her clothing and held her to the ground.

When he became alarmed he started to run and was soon lost in the woods, but it was known that he had gone toward Lake Quinsigamond, and in that direction pursuit was taken. The bicycle squad and all the day force of the police department were ordered to search for the negro.

Sergeant Hill and Patrolmen Power, Thayer, Jackson, Knight, and Streeter were sent through the woods in the vicinity. Power and Thayer got a clew which led them in the direction of Bloomingdale, and there, near the engine house, they came upon him. He submitted quietly to arrest.

He had the appearance of just getting over a spree. One of the officers says he denied having committed any assault, but admitted having met a woman somewhere and taking hold of her. Even this much he would not admit later, but maintained that he had not committed any assault.

Miss Green and her uncle called at the police station, and the young woman positively identified her assailant.

The prisoner gave his name as William Johnson, and said he was 40 years old. He said he was born in Maryland and later moved to Harrisburg, and from there came to this city last fall. He was a laborer, and said he worked for a contractor named Barnard, whose other name he could not give.

Johnson is known to a few people in that vicinity of Hanover street. He roomed in a house on that street, near Arch street, and his quarters were frequently the scene of carousals, so his neighbors say.

The condition of Miss Green is not alarming. It was feared at first that she would suffer from the shock, but her uncle thinks she will be able to appear against her assailant in court to-morrow morning.

These may be isolated cases; they may not reflect the general feeling and sentiment of the Northern people or conditions there; but there are every day facts coming out going to show my contention to be true that the more the Northern people find out about the negro the less use they have for him. To use the expression which I have used once before, they love him according to the square of the distance. He is, they think, an admirable voter in the South and in the border States, where his vote counts for so much. Under the Constitution he is entitled to all the rights and privileges of other citizens, and many millions of un-

thinking Americans are drifting along that road absolutely ignorant and oblivious of where it is going to lead.

I will not spend more time to prove that there is prejudice and caste feeling among the Northern people in regard to the negro. If anyone wants to dispute it, let him produce his evidence and then I will be ready with some more facts to back up my position.

Right here, I think it very well to remind Senators that in this District we have the most striking example of the calm, considerate judgment of the leaders of the Republican party that the negro's ballot is a menace to good government. We had in this District in 1867 an enactment which gave the citizens, white and black, some control over local affairs and the levying of taxes and their expenditure. After five years the experiment had proven so absolute a failure that Congress, to save itself or save the city of Washington, felt constrained to repeal the act, and to institute the form of government we now have, which is as autocratic as that of Russia or China, or any other absolute government.

Why was it right or necessary to take the ballot from the negro here, and to take along with it the ballot of the white man, and yet it is right and proper to continue the partisan cry that there must be a free vote and a fair count in the South, and that every negro man should cast his ballot and have it counted, without regard to intelligence, or character, or anything else?

I leave those who are ready to defend this policy now, if there be any left, to specify. We have reached a period in the evolution of this question in which Northern sentiment has come to concede and to acknowledge that there was a blunder and a crime, or a mistake bordering on crime, when the negroes were enfranchised in the manner they were.

We have seen Southern State after Southern State exercise every possible ingenuity under the fourteenth and fifteenth amendments to reduce the number of negro voters and to minimize the danger from that source, and without protest almost from the North. Therefore I feel that we are approaching a period when this sane and patriotic view will obtain throughout the country, when the best thought North and South will come together and consider what can be possibly done for this colored brother, this man in black, and at the same time not jeopardize and destroy the white people who live where the negroes are thickest.

I shall approach that subject from the view point of a man living in a State where there are 235,000 more negroes than there are white people, and some 40,000 more negroes of voting age than there are white people. There is one other State similarly situated—Mississippi, while throughout the South the proportion of negroes to whites varies. There are over a million negroes in Georgia, and a majority of white voters of 30,000 or 40,000, and so on throughout the long catalogue. The table which I have prepared and which I have inserted will facilitate the examination by any person interested in it.

Now, the most striking phrase in the President's letter, the one which appeals strongest to the sentiment of everybody North and South, is that he is unwilling to "shut the door of hope and of opportunity in the face of a worthy and competent colored man." On first blush there is not a man alive who is a man, who has any of the elements of breadth and depth and liberality and Christianity and humanity, who would not agree with that sentiment.

Did it ever occur to those of you whose feelings are enlisted in that contention that in opening the door of hope and opportunity to this colored man you might be shutting it in the face of his white brother? We in my State for eight long years lived with the door of hope closed on us and the lock fastened by bayonets, keyed together by a bayonet, while rapine and murder and misgovernment and anarchy and every other thing which ought not to have been ran riot, with a travesty on government, an abomination in the sight of God and man presiding over the destinies of the Palmetto State.

We had the door shut, and it seemed to have closed for all time. We pried it open by force because we had to pry it open or suffocate. Even now the sunshine which comes to us from God's blue sky has up there the shadow of a negro with a ballot in his hand. We have exercised, as I said, our ingenuity and all the ability as lawyers and statesmen which we could under the fourteenth and fifteenth amendments to minimize and reduce the evil and to push it away from us. But it remains.

As chairman of the committee on suffrage in the constitutional convention, which I had struggled for four years as governor to have called for the express purpose of dealing with this question; as a man born on a slave plantation where there were one hundred of them belonging to my family; with experience, some little insight into the horrors of the war, and with a full knowledge of what happened during the reconstruction era when the carpetbag vampires and their negro dupes were running riot in South Carolina, I approached it with all the solemnity of a man resolved by every possible scheme that we could devise to take the ballot from every negro alive, if that had been allowed.

But we could not do it, because the fifteenth amendment barred the way.

The fifteenth amendment prohibits any discrimination on account of race, color, or previous condition. Therefore we had the simple and only alternative to provide for an educational qualification, with an elastic provision which enabled the illiterate whites to be registered, because we were unwilling to take the ballot from those of our own blood, some of them the best men we have, who had lost the opportunity to get an education in their youth because they were fighting.

We found after we had completed our work that there were some 15,000 negroes who were then ready to register. I suppose that the number has increased since by education to 25,000, while the number of whites who were able to register is something like a hundred thousand. So that for the time we have a breathing spell. We are at ease for the moment. But the relief is only temporary.

Along with the instrument which deprived the negroes of the right to vote because they could not read and write we placed in the constitution a provision which levied a 3-mill tax for public schools, and so again there was no discrimination on account of race, color, or previous condition. Therefore, the history of education in South Carolina for the last twenty-five years before the new constitution and since has been that there are more negro children in our public schools than there are white.

While we have opened the door of hope for a while to the whites, and shallow thinkers are ready to suppose that a solution of the race problem in the South has been reached, every man who can look beyond his nose can see that with the negroes constantly going to school, the increasing number of people who can read and write among the colored race, with such preponderance of numbers as they have, will in time encroach upon and reach and overbalance our white men. And then what will happen? Will the door of hope be closed again on us by submitting to negro domination? Take it home and sleep on it, and then give me your answer.

Why can we not afford it? This brings a long train of witnesses to show the difference between the Caucasian and the colored race, and to demonstrate to the satisfaction of every student of ethnology and history that the Southern white men can not, without absolute destruction to their civilization, submit to it.

I will begin in Washington. This city has been the very hotbed, the hothouse, where the effort to elevate the African and educate him and humanize him and civilize him and Christianize him has had its best development, or, rather, the effort has had unlimited money and encouragement. It has been right here under the agis of the American eagle, in sight of the Dome of the Capitol, and what are the results?

I have here one of the most interesting, instructive and valuable compilations that I suppose has ever been written by anyone. I did not know it was in existence until I began the investigation of this subject. I should like for Congress to have it printed as a document if the consent of the owner of the copyright could be obtained, and let every student of our political and sociological and ethnological conditions get hold of it. It is termed "The Race Traits and Tendencies of the American Negro," a publication by the American Economic Association, volume 11, printed in 1896 by Macmillan & Co., New York. It is written by Frederick L. Hoffman, statistician to the Prudential Insurance Company of America; and in order that the astounding facts which this gentleman marshaled, purely as a scientific investigator, may receive such due credence as they appear to me to be entitled to, I will read briefly an extract from his preface. I want to introduce Mr. Hoffman to the Senate. I never knew of him until a few days ago myself.

At the commencement of my investigation, especially in regard to longevity and physiological peculiarities among the colored population, I was confronted with the absence of any extensive collection of data free from the taint of prejudice or sentimentality. Being of foreign birth, a German, I was fortunately free from a personal bias which might have made an impartial treatment of the subject difficult. By making exclusive use of the statistical method and giving in every instance a concise tabular statement of the facts, I believe that I have made it entirely possible for my readers to arrive at their own conclusions, irrespective of the deductions that I have made.

During the course of my inquiry it became more and more apparent that there lie at the root of all social difficulties or problems racial traits and tendencies which make for good or ill in the fate of nations as well as of individuals. It became more apparent as the work progressed that, in the great attempts at world bettering, at the amelioration of the condition of the lower races by those of a higher degree of culture and economic well-being, racial traits and tendencies have been almost entirely ignored. Hence a vast sum of evil consequences is met as the natural result of misapplied energy and misdirected human effort.

He speaks here in regard to the city of Washington as follows:

In Washington the colored race has had exceptional educational, religious, and social opportunities. Even in an economic sense the race is probably better off there than anywhere else. According to the census there were in Washington, in 1890, 77 churches for colored people, valued at \$1,182,650, with 22,965 communicants. There were 250 colored teachers in charge of 13,332 colored pupils; but there were also during the year 483 young mothers

whom neither education nor religion had restrained from open violation of the moral law.

I shall quote further presently, but before I give statistics I wish to bring as a witness the voluntary statement of one of our ex-District Commissioners. I have here a hearing before a sub-committee of the House Committee on Appropriations, consisting of Messrs. Grout, Bingham, McCleary, Allen, and Benton, in charge of the District of Columbia appropriation bill for 1901. Major Sylvester and Mr. Wight, the then Commissioner, having charge of the police department of the city government, were asking for more policemen. Here is what took place:

Mr. BENTON. I would like to ask you if it is not a fact that there is not another city in this country of equal population to this as well patrolled as this. Is there another one?

Major SYLVESTER. Yes; there are better patrolled cities.

Mr. BENTON. There may be a good many more policemen; but is not the criminal class as successfully taken care of in Washington as in any other city of its size in the country?

Major SYLVESTER. I believe so; but when I answer that statement I want to invite your attention to what I stated to you as to the hours of labor these men have.

Mr. BENTON. I recollect what you said on that subject. You effect it, but you have to work your men more than you ought to.

Here is the Commissioner's statement:

Mr. WIGHT. Perhaps I had better answer that, because it might be a little embarrassing to Major Sylvester. I think it is remarkably to the credit of the police department, with the small amount of men and the large amount of criminal classes—

Mr. BENTON. I did not know that there was a very great amount. I know there is not a great deal of crime here, comparatively.

The CHAIRMAN. They are not the worst criminals.

Mr. WIGHT. I say it with all kindness, but I state it as a fact, that the 90,000 colored people here are equal to the criminal conditions in any city. They regard life as of no value whatever.

Here is a lifelong Republican, charged with the solemn duty of governing this city, and that is what he said. What corroborative evidence have I in regard to the conditions in Washington to sustain this terrible revelation, as it was to me? I will read first from Mr. Hoffman, because I can not be too long about this, and I am only citing gentlemen who wish to investigate, to this book which affords a fund of information about the colored race throughout the country, North and South, East and West. He gives here a table furnished from the report of the health officer of the District of Columbia for 1894, in which we have the illegitimacy in Washington for the years from 1879 to 1894. I wish to print it in my remarks, but I shall simply call attention to the facts that the average for the white race in 1894 was 2.92 per cent, while the average for the colored race was 22.49 per cent. That was the total of illegitimate births; and the saddest part of all of this is that in 1879 there were only 17.60 per cent of colored, while in 1893 there were 27 per cent and in 1894 26.46 per cent, and for the four preceding years there had been more than 25 per cent of births of illegitimate colored children in the city of Washington.

The explanation is made, or, rather, the bald fact is stated, that immorality of that kind, which lies at the very root of civilization and civilizing influences, is abroad; that it goes on in spite of religious teachings and educational opportunities. That is the appalling thing for us to consider.

The table referred to is as follows:

Illegitimacy in Washington, D. C., 1879-1894.
(Percentage of illegitimate in total number of births.)

	White.	Colored.
1879	2.32	17.60
1880	2.43	19.02
1881	2.33	19.42
1882	2.09	19.73
1883	3.14	20.95
1884	3.60	19.02
1885	3	22.88
1886	3.28	21.86
1887	3.34	21.27
1888	3.49	22.18
1889	3.59	23.45
1890	3.34	26.50
1891	2.90	25.12
1892	2.53	26.40
1893	2.82	27
1894	2.56	26.46
Average 1879-1894	2.92	22.49
SUMMARY 1879-1894.		
Total births, 1879-1894	34,803	27,211
Illegitimate births, 1879-1894	1,032	6,186
Percentage illegitimate births	2.92	22.49

Mr. TILLMAN. Now I will quote something from Mr. Hoffman. He says:

I have given the statistics of the general progress of the race in religion and education for the country at large, and have shown that in church and school the number of attending members or pupils is constantly increasing; but in the statistics of crime and the data of illegitimacy the proof is furnished that neither religion nor education has influenced to an appreciable

degree the moral progress of the race. Whatever benefit the individual colored man may have gained from the extension of religious worship and educational processes, the race as a whole has gone backward rather than forward.

Next he says:

It was a favorite argument of the opponents of slavery that freedom, education, and citizenship would elevate the negro to the level of the white in a generation or two. One writer, in a report to the Anti-Slavery Society, which was widely circulated, made use of the following language in regard to the effects of the emancipation of the slaves in the West Indies: "The abolition of slavery gave the death blow to open vice. Immediate emancipation, instead of opening the flood gates, was the only power strong enough to shut them down. Those great controllers of moral action, self-respect, attachment to law, and veneration of God, which slavery destroyed, freedom has resuscitated."

That is a quotation. Mr. Hoffman goes on and marshals some facts which utterly annihilate that contention. He says:

The West India slaves were completely emancipated in 1838. About thirty years later the American Missionary, in commenting upon the people of Jamaica, used the following language: "A man may be a drunkard, a liar, a Sabbath breaker, a profane man, a fornicator, an adulterer, and such like, and be known to be such, and go to chapel and hold up his head there, and feel no disgrace from those things, because they are so common as to create a public sentiment in his favor."

About twenty-five years later James Anthony Froude, the great English historian, wrote of the negro in the West Indies in the following severe terms:

Morals in the technical sense they have none, but they can not be said to sin, because they have no knowledge of the law and therefore can not commit a breach of the law. They are naked and not ashamed. They are married, as they call it, but not parsoned. The woman prefers a looser tie that she may be able to leave the man if he treat her unkindly. A missionary told me that a marriage connection rarely turned out well which begins with legal marriage. The system is strange, but it answers. There is evil, but there is not the demoralizing effect of evil. They sin, but they sin only as animals sin, without shame, because there is no sense of wrongdoing; they eat the forbidden fruit, but it brings with it no knowledge of the difference between good and evil—in fact, these poor children of darkness have escaped the consequences of the fall, and must come of another stock, after all.

Mr. Hoffman resumes:

The statements of the various writers on the social condition of the West India negro are supported by reliable statistical evidence. The table below, compiled from the annual reports of the registrar-general of Jamaica, bears mute testimony on this point:

Illegitimacy and illiteracy in Jamaica.

	Percent- age of ille- gitimate births.	Percent- age of females signing marriage register with mark.
1880-81	57.7	66.8
1881-82	58.2	67.7
1882-83	58.09	68.6
1883-84	58.9	68.8
1884-85	59.9	67.7
1885-86	59.6	64
1886-87	59.8	64.8
1887-88	60.6	64.8
1888-89	60.5	65.5
1889-90	61.7	64.9
1890-91	60.7	63.7
1891-92	60.6	61.6
1892-93	60.1	60
1893-94	60.6	59.4
1894-95	60.8	57.1

Indicating the increase in education. Mr. Hoffman sadly comments there. He says:

After fifty years of educational and religious influence under conditions of freedom, sixty out of every hundred births are acknowledged to be illegitimate.

Further on Mr. Hoffman says:

After nearly sixty years of freedom in the West Indies and after thirty years of freedom in this country, during which the most elaborate efforts have been made to improve the moral and social condition of the race, we find that its physical and moral tendency is downward.

One other quotation and I have done with this book for the present. Giving the percentage of criminals, he quotes from the official record of convicts in the Pennsylvania penitentiaries:

Convicts in the Pennsylvania penitentiaries, 1886 and 1894.

	Males.			Females.		
	Total.	Col- ored.	Percent- age of col- ored.	Total.	Col- ored.	Percent- age of col- ored.
1886	1,730	244	14.10	41	14	34.15
1894	2,312	384	16.61	52	18	34.61
Percentage of colored in total population over 15 years of age in 1890.						
					2.23	2.09

The table shows that in Pennsylvania, in 1894, 16.61 per cent of the male inmates and 34.61 per cent of the females were colored; yet in the whole population of the State over 15 years of age only 2.23 per cent of the males and 2.09 per cent of the females were persons of African descent, showing an excessively high proportion of colored convicts.

It is rather strange that nearly all, or a large number, of the colored people who have gravitated North from our part of the world must be the bad negroes; and yet, coming in contact with this constantly increasing class of criminals, we find people up there who say that the stock from which they sprang is good enough to govern South Carolina. I will remark in passing that the conditions in our State are even worse. That is the astounding and the inexplicable situation to me. I have here a witness who speaks about Illinois. Benjamin C. Whitehead, of the New Orleans Times-Democrat, writing from Chicago, says:

A THREATENING CLOUD.

The more serious condition growing out of the negro problem is yet to come, criminologists and officers fear. The negro youth is the threatening cloud obscuring all hope of something better. As the first generation after slavery deteriorated in character and moral worth, the negro children of to-day tend toward vice and crime. In the John Worthy School at Chicago, an institution founded upon benevolent ideas and calculated to teach the misbegotten boys the true path to upright citizenship, a most sickening scandal was brought to light from inquiry into the habits and practices of negro boys, and the investigation afforded a very good index to the inclination of even the very young negro children. The details of the scandal are too vile for publication, but the reader who is familiar with negro conduct may have some idea of the character of the testimony if not of the extent of the offenders' misconduct.

The negroes form 2 per cent of the population of Illinois.

Very nearly the same proportion that exists in Pennsylvania.

At the Illinois Home for Female Juvenile Offenders at Geneva 13 per cent of the inmates are negroes. At the boys' prison at Pontiac 18 per cent of those incarcerated are negroes. The negro lists in the juvenile prisons are constantly increasing. In the Chester penitentiary no statistics are furnished regarding the relative number of negroes and whites, but in the Joliet prison Warden Murphy affords the information that more than 16 per cent of the prisoners are negroes. In connection with this it may be stated that of the female prisoners there 27 are white and 38 are negroes.

It may appear in the eyes of some that I am bringing out all this for the sinister purpose of belittling the negro race—of dooming them to obloquy and mistreatment. I want to say to you—and I say it with all the sincerity of my nature—that I do not hate the negro. I was nursed by a black mammy. I have on my farm in South Carolina to-day a negro man of about my own age, Joe Gibson, who has been with me thirty years. He has charge of my keys and of everything I possess there in the way of a house, furniture, horses and carriages, and everything for a farm of 200 acres, worth some twelve or fifteen thousand dollars. I trust him implicitly. He can not read or write. He has got a wife who is as trustworthy as he is.

All negroes are not bad; a very small percentage of them are bad; but the bad ones are leading all the rest, and they are patted on the back by the politicians at the North. Every farmer throughout the South who is familiar with the locality in which he lives knows that there are on many of those plantations—in fact, on nearly all of them where any considerable number of negroes live—a large number of good, quiet, peaceable, orderly, and more or less industrious colored people, who are endeavoring to make a living with the least labor possible, and getting along pleasantly and peacefully with their white friends. But the younger generation is worthless—wholly unreliable—and in every community there are young vagabonds most of whom have a smattering of education who are doing all the devilment of which we read every day.

The condition which the President has precipitated by his revival of a worn-out policy, the discussion of the status of this man throughout the country and of his future, will not down. It is like Banquo's ghost, and the sooner we take hold of the question in a calm, statesmanlike way and endeavor to set in motion instrumentalities which will do something to stop the agitation and to help these people, if they can be helped, the better it will be for all concerned.

I am ready to lend any information I possess and to give the best thought I have, because I have given thought to this subject for the last thirty years, mainly from the point of view I have occupied up to now, that it was my duty to my own people and to my own State to stand forever opposed to any idea of political or social equality on the part of the negro with the whites of South Carolina. You have just had facts collected by a man whose statements with regard to himself would gain credit anywhere as to being an impartial observer and student of this great question. Opposed to that we have a vast amount of nebulous contention and assertion of claims; and I want to read here the latest that I have come across from the very highest negro authority, a man who stands highest in the estimation of white men North and South of any man of his race—Booker T. Washington.

In an address in New York on Washington's Birthday, Booker T. Washington, at a memorial meeting held in the Academy of Arts

and Sciences, devoted his remarks to the consideration of the race problem. He said in part:

Unlike the Indian, the original Mexican, or the Hawaiian, the negro, so far from dying out when in contact with a stronger and different race, has continued to increase in numbers to such an extent that whereas the race entered bondage 20 in number, there are now more than 9,000,000. So I want to emphasize the truth that whether we are of Northern or of Southern birth, whether we are black or white, we must face frankly the hard, stubborn fact that in bondage and in freedom the negro, in spite of all predictions to the contrary, has continued year by year to increase in numbers until he now forms about one-seventh of the entire population, and that there are no signs that the same ratio of increase will not hold good in the future. Further than this, despite of all the changing, uncertain conditions through which the race has passed and is passing in this country, whether in bondage or in freedom, he has made a steady gain in acquiring property, skill, habits of industry, education, and Christian character.

To deal directly with the affairs of my own race, I believe that both the teachings of history, as well as the results of everyday observation, should convince us that we shall make our most enduring progress by laying the foundations carefully, patiently, in the ownership of the soil, the exercise of habits of economy, the saving of money, the securing of the most complete education of hand and head, and the cultivation of Christian virtues.

I can not believe, I will not believe, that the country which invites into its midst every type of European, from the highest to the very dregs of the earth, and gives these comers shelter, protection, and the highest encouragement, will refuse to accord the same protection and encouragement to her black citizens. The negro seeks no special privileges. All that he asks is opportunity—that the same law which is made by the white man and applied to the one race be applied with equal certainty and exactness to the other.

Here we have the apostle of technical and industrial education, a man who has warned his people against the folly of political office, showing in spite of his wisdom that he has the same dream. I quote again:

All that he asks is opportunity—that the same law which is made by the white man and applied to the one race be applied with equal certainty and exactness to the other.

I do not wish to comment on his utterances except to show that his hopes and aspirations are natural and even pathetic. But while he gives advice to his people that is wise, as far off he sees a vision of equality, and I say that his dream can never come to pass. His claims about the negro race are largely guesswork and can not stand against the facts as set out by Hoffman.

Mr. President, I do not want to tire the Senate, but I have here the work of a student of ethnology, of sociology, and of philosophy, one of the greatest minds of the last century, Max Muller, the famous Sanskrit scholar, who has delved deeper into the mine of Indian lore and East Indian traditions and religion than any other man, living or dead. In his Essay on Caste, he deals directly with the question which confronts us, and it is my desire, if you will be patient with me, to give you some quotations from this scholar, this man whose sole purpose and desire was to give to his countrymen the truth and the facts as his long years of laborious research had enabled him to arrive at them. And it is in regard to the question of caste—that inherent, irrepressible, indelible feeling which exists in the mind of every human being under certain conditions and circumstances, for which we are not responsible because it grows with our growth in childhood and becomes part and parcel of every fiber of flesh and bone of which our bodies are composed. In explanation of the conditions which he found in India, Muller says:

As soon as we trace the complicated system of caste, such as we find it in India at the present day, back to its first beginnings, we find that it flows from at least three different sources, and that accordingly we must distinguish between ethnological, political, and professional caste.

Ethnological caste arises wherever different races are brought in contact. There is and always has been a mutual antipathy between the white and the black man, and when the two are brought together, either by conquest or migration, the white man has invariably asserted his superiority, and established certain social barriers between himself and his dark-skinned brother. The Aryas and the Sudras seem to have felt this mutual antipathy. The difference of blood and color was heightened in ancient times by difference of religion and language; but in modern times also, and in countries where the negro has learned to speak the same language and to worship the same God as his master, the white man can never completely overcome the old feeling that seems to lurk in his very blood and makes him recoil from the embrace of his darker neighbor. And even where there is no distinction of color, an analogous feeling, the feeling of race, asserts its influence, as if inherent in human nature. Between the Jew and the Gentile, the Greek and the barbarian, the Saxon and the Celt, the Englishman and the foreigner, there is something—whether we call it hatred, or antipathy, or mistrust, or mere coldness—which in a primitive state of society would necessarily lead to a system of castes, and which, even in more civilized countries, will never be completely eradicated.

In tracing the condition in India as far back as he could get any authentic information, Muller tells us that caste existed there from the first settlement of that peninsula, and he goes on to describe the various strata of society and of population in the two hundred and odd millions of the inhabitants of Hindostan, and he winds up by saying that the word "caste" itself, in its primary significance, simply means color. He gives some very funny and ridiculous descriptions as to what the law of caste has forced those people to do and to believe and to feel. Here, for instance, is one:

Low as the Sudra stood in the system of Manu, he stood higher than most of the mixed castes, the Varnasankaras. The son of a Sudra by a Sudra woman is purer than the son of a Sudra by a woman of the highest caste (Manu X, 30). Manu calls the Kandala one of the lowest outcasts, because he is the son of a Sudra father and a Brahmanic mother. He evidently considered the méalliance of a woman more degrading than that of a man.

Just as we do.

For the son of a Brahman father and a Sudra mother may in the seventh generation raise his family to the highest caste (Manu X, 64)—

In South Carolina we recognize octoroons as white people—

while the son of a Sudra father and a Brahman mother belongs forever to the Kandalas. The abode of the Kandalas must be out of the town, and no respectable man is to hold intercourse with them. By day they must walk about distinguished by badges; by night they are driven out of the city.

He goes on to philosophize on this subject of race antagonism and association and contact, and of the laws of society even in England, and I will give a quotation without reading it all. He gives a remarkable illustration of the sense of indignation of one of the old-time English aristocracy, saying:

Even in England the public service has but very lately been thrown open to all classes, and we heard it stated by one of the most eminent men that the Indian civil service would no longer be fit for the sons of gentlemen. Why? Because one of the elected candidates was the son of a missionary.

As illustrative of the intense cruelty, I may say, which this law in India has brought about, you all recollect the immolation of the child widows who had been married in their infancy, and if the husband to whom they had been married died, they were forbidden to marry anyone else. You all recall the Juggernaut car, with the idolaters, so to speak, rushing in front and throwing themselves down to be crushed. You all remember the ceremony of burning, after maturity, a woman whose husband had died after marriage, and all that kind of thing. Muller states here:

In former times a Pariah was obliged to carry a bell—the very name of Pariah is derived from that bell—in order to give warning to the Brahmins, who might be polluted by the shadow of an outcast. In Malabar a Nayadi defiles a Brahman at a distance of 74 paces—

If he gets within 74 paces the Brahman is polluted.

and a Nayer, though himself a Sudra, would shoot one of these degraded races if he approached too near.

Here is what I want you gentlemen to consider:

Those who know the Hindus best are the least anxious to see them without caste. Colonel Sleeman remarks:

"What chiefly prevents the spread of Christianity is the dread of exclusion from caste and all its privileges, and the utter hopelessness of their ever finding any respectable circle of society of the adopted religion, which converts, or would-be converts, to Christianity now everywhere feel."

He says further:

Caste can not be abolished in India, and to attempt it would be one of the most hazardous operations that was ever performed on a living political body. As a religious institution, caste will die; as a social institution, it will live and improve. Let the Sudras, or, as they are called in Tamil, the Petta Pittai, the children of the house, grow into free laborers, the Vaisyas into wealthy merchants, the Kshatriyas into powerful barons, and let the Brahmins aspire to the position of that intellectual aristocracy which is the only true aristocracy in truly civilized countries, and the four castes of the Veda will not be out of date in the nineteenth century, nor out of place in a Christian country. But all this must be the work of time. "The teeth," as a native writer says, "fall off themselves in old age, but it is painful to extract them in youth."

Is this the genesis of the Booker Washington idea?

Muller, after devoting a lifetime to the study of the language, literature, and conditions in India, sums up with this declaration. It is worth all the schools and colleges, sermons and preachments, religious or political, that have ever been uttered on the subject of African regeneration. The mothers must lift the race or its doom is sealed.

AS SOON AS THE FEMALE POPULATION OF INDIA CAN BE RAISED FROM THEIR PRESENT DEGRADATION; AS SOON AS A BETTER EDUCATION AND A PURER RELIGION WILL HAVE INSPIRED THE WOMEN OF INDIA WITH FEELINGS OF MORAL RESPONSIBILITY AND SELF-RESPECT; AS SOON AS THEY HAVE LEARNED—WHAT CHRISTIANITY ALONE CAN TEACH—THAT IN THE TRUE LOVE OF A WOMAN THERE IS SOMETHING FAR ABOVE THE LAW OF CASTE OR THE CURSES OF PRIESTS, THEIR INFLUENCE WILL BE THE MOST POWERFUL, ON THE ONE SIDE, TO BREAK THROUGH THE ARTIFICIAL FORMS OF CASTE, AND, ON THE OTHER, TO MAINTAIN IN INDIA, AS ELSEWHERE, THE TRUE CASTE OF RANK, MANNERS, INTELLECT, AND CHARACTER.

Senators will recollect that the Sepoy rebellion of 1857, with all its horrors, was produced by reason of the fact that the English officers forced the Sepoys simply to bite cartridges with hog grease on them. You will say, "That is all no good here; we are civilized Americans; we are the highest type of men." Bonaparte said, "If you scratch a Russian, you will find a Tartar." If you scratch the white man too deep, you will find the same savage whose ancestry used to roam wild in Britain when the Danes and Saxons first crossed over. I have seen doctors of divinity, I have seen the very highest and best men we have, lose all semblance of Christian human beings in their anger and frenzy when some female of their acquaintance or one of their daughters had been ravished, and they were as wild and cruel as any tiger of the jungle. You can not make us over by law. Constitutions do not change human nature.

I come now, after this imperfect portrayal, to another feature. There is much material here, and it covers much ground, in reference to racial antagonism. Look at the history of the Danube Valley, with its teeming millions of Slavs and Magyars and Bosnians and Servians and Dalmatians, and the Turks and the Macedonians, who have been cutting each other's throats for six centuries, all white people at that, but simply with a racial antagonism.

Look at India, with its two hundred and odd millions, nobody knows how many, governed by 400,000 Englishmen. Where in history can you point to an instance in which white men proper, the best type of white men, or even the lowest type, have been dominated very long by any colored people? It is not in our blood. When you force conditions, when you gentlemen relentlessly and remorselessly stand by your mistakes of the period from 1868 to 1872, when the fifteenth amendment was placed on our backs, and say, "It stands there sacred, and it must stay," you force us to face an alternative which in the future is bound to produce a conflict of races. That dire condition is ahead of us, and, like the sword of Damocles, it hangs by a very slender thread.

We ask you to pause and think. We beg you not to drive us to desperation. You say we must keep the door of hope open to the negro. Please consider the shutting of that door to the white man. If you could force that policy upon my State and we submitted to it quietly and peaceably, in the next fifty years at the outside we would have a majority of negroes in South Carolina who could outvote the whites. Give them a peaceful election, no resistance, absolute equality before the law, and what happens? The negroes capture the government. They do not own any of the property, or only a very small percentage. They have none of the intelligence, or so little that it does not count. They have none of the character, or so little that it does not count. They have none of the knowledge of government which is bred in our bones. But let us submit; let the negroes take possession; let them have a negro government; let them control taxation; and if we have sunk so low by that time as to forget all traditions of Anglo-Saxons, of Caucasians, then what follows?

The governing race in any community, where there is absolute equality before the law, and equality for which the President contends before the law, and equality of opportunity, will in time come to amalgamation with any different race that may be there. The reason why we have not had any amalgamation in any of the racial antagonisms of which I have spoken, except in a limited degree, the reason why the Slavs and the Magyars in Hungary have never intermarried to any considerable degree, is because they hate each other, and whichever one crosses the line loses caste with his fellows and is absorbed into the other race.

What is the fundamental hope, what is the dream of the negro agitators, these men who are importuning the President now and are making his life a burden to him in regard to appointments to office of men of their race? I will produce a witness. He may not be a good one, but that is not my fault. In the Washington Post of January 27 I find this statement:

HAYES STIRS HIS RACE—VIRGINIA NEGRO LEADER TALKS OF SWORD AND TORCH—WASHINGTON CROWD APPLAUD—JAMES H. HAYES PREDICTS FORCIBLE RESISTANCE TO THE VIRGINIA CONSTITUTION AND OTHER ACTS OF DISFRANCHISEMENT PASSED BY SOUTHERN LEGISLATURES—TEMPER OF A MASS MEETING AT LINCOLN CHURCH.

You all read it, at least most of you did. I will incorporate it in my speech, with the consent of the Senate.

At a mass meeting of colored people at Lincoln Memorial Church, at 8 o'clock last night, under the auspices of the Afro-American Council, prominent speakers of the negro race made addresses upon the question of disfranchisement in the Southern States, and considerable feeling was manifested.

James H. Hayes, of Richmond, the attorney who has been retained by the colored people of Virginia to test the disfranchisement laws of that State, delivered a speech in which he declared that the negro has now reached the limit of his endurance, and advocated the sword and torch as a means for the negro to maintain his manhood. His remarks were received with great enthusiasm.

He referred to the fact that during the years which have elapsed since the war sectional feeling between the North and South has died out to such an extent that Virginia now proposes to place a monument of Lee in Statuary Hall in the National Capitol, but said that all this period has not been sufficient for the negro to advance one inch beyond the place he held when liberated from slavery.

"There is nothing in Virginia for the negro," he said, "but degradation, unless the negroes make a firm stand, contend for their rights, and, if necessary, die for them. I am not an anarchist," he added, "and I don't mean to go out and kill anybody, but to let somebody else kill you." This veiled sally provoked loud applause and laughter. "In Virginia," added the speaker, "you are 'Jim Crows.' You opened the meeting to-night by singing 'My country, 'tis of thee,' but I wonder how negroes can sing that song. For myself, I am a man without a country."

"The time has come when the negro must fight, not theoretically, not intellectually; but fight with his hands. The disfranchisement of the children of Israel in Egypt has been followed letter for letter by the disfranchisement in the South."

He then spoke about Moses being called to lead the Israelites from their bondage and drew attention to the fact that slavery for four hundred years had made them cowards, so that they were obliged to turn back, drawing a parallel to the case of the negro in America.

"A second time," he continued, "the children of God arose. This time they had the leadership of Joshua, and when they went forth from the land of their bondage they did not go meekly, but carried the sword in one hand and the torch in the other. In this country," he also added, "a second generation has grown up in the forty years since the war. The Atlanta Constitution has threatened us with the Kuklux if the growth of Federal appointments in the South continues. I make the prediction that when the Southern people start to Kukluxing this time they will not have as the objects of their oppression the same timid people they Kukluxed in the sixties."

"Negroes are leaving the State of Virginia because of the treatment they are receiving. What we want to do is to start something, and keep it up until the white people stop something. We don't intend to be oppressed any longer. We don't intend to be crushed. I am afraid we are anarchistic,

that we are anarchists, and I give the warning that if this oppression in the South continues the negro must resort to the sword and torch, and that the Southland will become a land of blood and desolation.

"I want to make the assertion right here that we are not going to be disfranchised in Virginia. It is written in the heavens and engraved upon the stars that the Virginia negro does not intend to submit to disfranchisement. We are told, 'Let the negro obtain education and wealth if he would gain the political equality which he desires.' I say that never was a bigger lie uttered. The more the negro advances the more will political rights be denied him. It is not the common negro in the South who is cut off the registration lists. It is not the ditch digger. It is the educated negro, the doctor and lawyer and preacher, who are deprived unlawfully of political rights and manhood by the iniquitous constitution of Virginia, which cost half a million dollars to frame. And I want to say that by the time we get through punching holes in the constitution it will cost the State of Virginia half a million more."

The sting of that speech is in the tail, and I want to read you what this colored orator, who made the members of his race in that tabernacle or church go wild with enthusiasm, as the report states, said:

"It is claimed that the negro industrial schools are the proper lines of effort for the race. Talk about education and wealth, and say that they make votes for the negro. It's a lie. No, they are destroying votes. Every negro who puts on a clean collar and tries to be a man is destroying a vote. I believe God will take care of us. And just one word about the question of the absorption of the races."

The speaker added significantly:

"No two people having the same religion and speaking the same tongue, living together, have ever been kept apart. This is well known, and it is one of the reasons why the dominant race is crushing out the strength of the negro in the South."

There is your open door and it is easy to see to what doom it leads. The purpose and hope of those who indorse this policy and are madly pressing it on us in the South is that we in time shall become a country or State of mulattoes. Wendell Phillips in his Fourth of July speech in 1863 openly advocated amalgamation. Theodore Tilton also advocated it. Thad. Stevens practiced it. It was not surprising. It was not to be wondered at that those men who had devoted their lives to the propaganda of abolition should have allowed their sentimentality to get the better of all judgment and race pride. Hayes is of a type of negroes who are growing in number daily. He is only more bold and less cunning and cautious than the rest. He repudiates Booker Washington and his teachings, but his race in Washington "go wild" over his ravings.

Look southward, if you please, over the Rio Grande, and tell me what you see from there to Cape Horn. You see no society that is pure blooded; you see no commonwealth that is self-governing. You see a mongrelized aggregation of Indians and Spaniards and negroes inhabiting that land who make orderly government a byword and a hissing. No such doom as that is possible to the Southern States. No such scheme will ever receive the indorsement of the American people, and if it does then God have mercy on this country, for there will be a hundred times more blood shed than ever was shed before "the stars in their courses fought against Diura." I do not threaten you. I prayerfully warn you. I know those people. I know your stock as well as mine. You would not submit to it. We can not. We dare not. We will not!

I want to touch a moment on the effect of education on men. Under existing conditions we are left absolutely without any barrier in dealing with suffrage other than the ability to read and write. In my State we have enlarged that by permitting those who pay taxes on \$300 worth of property, whether or not they read or write, to use the ballot. But who here is prepared to say that the mere acquirement of enough education to read and write makes a good citizen—that it fits a man for the complicated duties of self-government and participation in self-government? Pope declared that—

"A LITTLE LEARNING IS A DANGEROUS THING."

And it is the quintessence of folly to suppose that the African can emulate, or successfully imitate even, the Anglo Saxon in matters of government. The history of the race in the continent where it originated and still exists by the hundreds of millions is that of barbarism, savagery, cannibalism, and everything which is low and degrading.

This has been the story of all the centuries. It is idle to expect such beings to be transformed in a generation or two into good citizens capable of governing themselves.

My observation teaches me that where there is no moral training there is no character. If along with the training of the head—the mere ability to translate letters into words—there be not a training of the moral faculties, the realization of the difference between right and wrong, the instinct to tell the truth, to be virtuous and honest, what good do your three little r's do?

I did not want to say anything about what are the conditions in the South as I know them to be by personal contact and observation all my life. I have preferred to marshal the evidence of an unbiased witness, who has taken the official reports and the scientific data, and to tell you what he has to say about this race. But I am willing to say that the little smattering of education which negroes are receiving now has absolutely no influence upon

their upbuilding as a people. It does not increase by one-quarter of an inch their stature in manhood. It is not elevating, but enervating and destructive of the original virtues of the negro race, and they have their virtues as well as we have.

I want to direct your attention to a remarkable fact in the history of this country, which can not be too much dwelt upon. When the Southern white men, from 16 to 60 years of age, all of them living in the cotton States, except a few in the mountains, had left their homes during the civil war to follow the standards of Lee and Jackson, of Johnston and Forrest, and when there were absolutely no men there except the old men above 60 and 65 and the little schoolboys—and the country then was much less thickly populated than it is now and altogether more agricultural—with over 4,000,000 negroes there were at least 1,000,000 males of adult age, slaves scattered throughout the breadth of the land, from the Potomac to the Rio Grande, and the wives and daughters of their masters were left to their care and protection.

The negroes knew the war was to settle the question of their future liberty or continued slavery. If there existed in their hearts any cause for hatred and resentment and a desire for revenge, such as you gentlemen in your youth were led to believe existed from reading Harriet Beecher Stowe's novel, and other sources of information and when oratory poured out its plea for the poor, downtrodden African—if these people had then been imbued with one-tenth of the hatred of the whites which exists to-day, if they had cause for hate, what would have been the consequences upon the helpless white women and children then living among them? The very imagination sickens at the picture of rapine and murder and of the cruelties and horrors of which we have read in Hayti and San Domingo, and which would have been repeated in the South. Yet they were slaves and had, as you believe, ample cause for revenge and hate.

But what are the facts, Senators? During those four dark years there is not of record a solitary case where a negro man wronged a white woman. What is the situation now? Take your morning paper and read it any day in the year, and there is hardly a day in which our sensibilities are not wrought up and our passions aroused or our pity aroused by some tale of horror and of woe.

I tell you from my own experience and observation that the old sense of security and of love and friendship on the part of the negro for his white master and his mistress and the children, which I myself experienced in my boyhood, has gone. With the remnant of the old negroes who were born in slavery and had some of that training (all of whom are now necessarily above 40) gone, the last restraining and conservative element among them will have disappeared. They have been taught that they are the equals of the whites. During the reconstruction period, when they had the ballot and professed to govern, and levied taxes and marched themselves in the statehouses, constantly squandering and stealing of our substances, they learned their lesson well. They tasted blood. They were inoculated with the virus of equality. A great poet tells us that those who love liberty must first deserve it.

Among the dusky millions who were held in bondage there were, of course, many who had been cruelly wronged and suffered injustice, but the overwhelming majority of them had no feeling for their masters and their families except love and veneration. They looked up to them as superior beings. They felt the obligations of the trusts which had been reposed in them, and many of them were true unto death. The fact which can not be disputed is one to give us pause when we undertake to analyze the present conditions.

So the poor African has become a fiend, a wild beast, seeking whom he may devour, filling our penitentiaries and our jails, lurking around to see if some helpless white woman can be murdered or brutalized. Yet he can read and write. He has a little of the veneer of education and civilization, according to New England ideas.

I do not blame the New England people. They have none, or few, of the negroes. The whole number beyond New York would not equal the negroes in my county. The people up there can afford to theorize and to determine upon the life and death of the civilization of the South from their standpoint of sentimentality, if they are willing, but I do not believe they are now willing. I do not believe they want to. I give them credit for more love of humanity and of their kind than to bring on a conflict of that sort. If there were no higher motives, I give them credit for more statesmanship. But, with the constantly increasing hatred between the races, with the older white men, acquainted with the better negroes, dying off, as they are doing rapidly; with the old negroes, the grandfathers of the race, dying off rapidly, as they are doing, in a very short while those who know anything of the relation of the slave and the master in the old days will have disappeared and gone.

And then the younger generation of white men, who are hating

these negroes in return, whose animosity and antagonism grow apace with these acute situations and conditions, have got to face this problem. I thank God sometimes that I will not live to see the thing brought to a focus. I am endeavoring in my feeble way to beg you, for God's sake, not to help produce that acute stage of fever and race hatred and carry it through until you bring into people those angry passions which will put the races at each other's throats with the resolve on the part of the whites to die or maintain their supremacy. Everyone knows what will be the result.

What effect does it have to appoint a negro to office in a community, many of which I could mention in my State, where there are three or five negroes to one white, just as there are in Indianola three negroes to a white person in that entire community, and in the adjoining county of Washington there are absolutely ten to one, just as in Beaufort, S. C., there are ten to one? What effect does it have for the knowledge to go out all over and among them, at their churches and everywhere else, that the great President of the United States is still their friend; that he does not intend to allow the "door of hope to be shut upon them;" that he wants to offer them an opportunity in life; that he is going to recognize them and give them offices to represent the United States Government? Does that tend to peace, tend to good order, tend to produce that feeling of subordination which is their only salvation?

Some people have been ready to believe and to contend that the negro is a white man with a black skin. All history disproves that. Go to Africa. What do you find there? From one hundred and fifty million to two hundred million savages.

I happened in my boyhood, when I was about 12 years old, to see some real Africans fresh from their native jungles. The last cargo of slaves imported into this country were brought here in 1858 on the yacht *Wanderer*, landed on an island below Savannah, and sneaked by the United States marshal up the Savannah River and landed a little distance below Augusta, and my family bought some thirty of them.

Therefore I had a chance to see just what kind of people these were, and to compare the African as he is to-day in Africa with the African who, after two centuries of slavery, was brought side by side to be judged. The difference was as "Hyperion to a satyr." Those poor wretches, half starved as they had been on their voyage across the Atlantic, shut down and battered under the hatches and fed a little rice, several hundred of them, were the most miserable lot of human beings—the nearest to the missing link with the monkey—I have ever put my eyes on.

Now, I do not go into the philosophy of it, or undertake to act as God's interpreter, because I have no ambition of that sort and I would not presume to even suggest a thing more than to say that if we consider the destinies of this race from a broad standpoint, and compare the condition of the African in Africa to-day, the highest and best of them, with the condition of the American negroes, such as we now have them, or such as we had them in 1865, I do not hesitate to say that among the four million and odd slaves who were in the South in 1865 there were more good, Christian men and women and gentlemen and ladies than all Africa could show then or can show now.

Then if God in His providence ordained slavery and had these people transported over here for the purpose of civilizing enough of them to form a nucleus and to become missionaries back to their native heath, that is a question. I have a letter here from a distinguished African bishop who believes it, and I want to read it. But the thing I want to call your attention to is that slavery was not an unmitigated evil for the negro, because whatever of progress the colored race has shown itself capable of achieving has come from slavery; and whether among those four million there were not more good men and women than could be found among the nine million now is to my mind a question. I would not like to assert it; but I am strongly of that belief from the facts I know in regard to the demoralization that has come to those people down there by having liberty thrust upon them in the way it was, and then having the ballot and the burdens of government, and being subjected to the strain of being tempted and misled and duped and used as tools by designing white men who went there among them.

A little while back I received a letter from this man—I never met him—making some comment on something he had seen about my utterances in regard to the negro in some speech or lecture. My newspaper friends have always taken it upon themselves to quote everything that is lurid and hot and vitriolic that I say, and then to finish by saying, "The Senator from South Carolina made a characteristic speech," leaving anything that was sane and rational and decent and eloquent, if I ever rise to eloquence, out of the whole account. That is unintentional, doubtless. In their pursuit for sensation they have done me the great wrong to misrepresent me throughout this country. I do not fret over it. I know that the truth never has overtaken a lie, and I do not in-

tend to undertake it; and I never will even make a start to run down the thousand and one lies that have been told on me.

But this man, this bishop, wrote me a letter and called my attention to a dream of his, an aspiration and a hope, and to suggest that I should submit his proposition to the Senate of the United States and lend it support. I wrote back to him the difficulty that lay in the way, the obstruction, the well-nigh impossibility of anything being done along that line to the extent he had dreamed of, and I went on to say something about my idea in regard to the negro, giving a little advice, as we are all so prone and ready to do. Advice is one of those commodities that nobody ever charges anything for except a lawyer. I got this letter in return:

ATLANTA, GA., January 24, 1903.

HON. B. R. TILLMAN,
United States Senator.

SIR: Yours of the 19th instant was upon my table when I reached home from Memphis, Tenn.

You say, if I know anything, I ought to know that the negro in the South must ever and forever remain subordinate or be destroyed and annihilated. I know that as well as you do, and even better, for a white man can not see the virus of this entire nation, from the Supreme Court of the United States down to the ward politician, as the colored man can see it and feel it. But this determination to degrade the negro and prevent his recognition as a man that God made is not only confined to the ruling masses of the South, but to the North as well. Color prejudice—

He seemed to agree with me in the idea I expressed in the beginning of my speech, that caste feeling, prejudice, whatever you call it, is just as strong in the North as it is with us, except that the provocation to exhibit it does not exist there. But let me go on with him—

but to the North as well. Color prejudice is not a Southern institution alone, but of the United States. Hence my desire for my race to leave the nation and return to Africa. When I was a boy, 60 years ago, I thought then as I do now, that God allowed the negro to be brought to this country and civilized to redeem his kindred in Africa. And since I have traveled from one end of Africa to the other, I am stronger in my conviction than ever. And I did hope that, as Jefferson Davis was the negative force in the freedom of the negro, God had raised you up to be the negative force that should establish through governmental aid a highway for millions of our race to return to the land of our ancestors. I have been looking upon you as a creature of Providence—

Now, is not that a high compliment? [Laughter.] As you know—

God moves in a mysterious way
His wonders to perform—

and still think that your utterances in many instances will serve a purpose not even contemplated by yourself. Others of my race may denounce you, as they do in mass meetings and on the lecture platforms of this country, but I shall praise you and wish you godspeed; for I believe that you are serving a purpose of Providence that but few are aware of, and even yourself do not realize.

I judge you think, from the tone of your letter, that I am a politician—

I told him that if we could get the politicians to emigrate, God knows I would subsidize all the vessels Uncle Sam has and ship them to Africa or to heaven. He says:

I judge you think, from the tone of your letter, that I am a politician. But be politics far from me. I am no politician. Nor am I any office seeker for my race. I do not care if a negro never gets office in this country while the world stands. A little insignificant office in the face of all the laws that are enacted to prevent our rising to manhood is too small to merit my attention. The negro is a fool for wanting office. He is a fool for enlisting in the Army or Navy or in doing anything to protect a flag that gives white men all the stars and leaves nothing but the stripes for the negro. Please do not class me among the politicians.

You see this man has got some gray matter in his kinky head.

You say the natural increase of the negro by birth would be a bar to emigration solving the race problem. If I could talk with you I would make you see otherwise. For I know all about it—I am acquainted with the statistics of immigration to this country. But I shall not intrude upon your time and patience. No reply to this letter will be expected.

Truly,

H. M. TURNER.

H. M. Turner is a bishop of the African Methodist Episcopal Church. His scheme is before you to consider.

Now, Mr. President, a little brief summary, and I am done.

I have endeavored in my feeble and humble way to give you such historical light, such ethnological light, on this subject as I could come across in the brief time I have had, along with my other duties, to collect. I have relied mainly on the inner light of my own observations and my own feeling and knowledge of conditions.

I do not want to see the African driven to the wall. I do not want to shut the door of hope in his face. I am willing to give him every opportunity in life, all that the Declaration of Independence guarantees—life, liberty, and the pursuit of happiness. But that does not involve, and so help me God I can not consent to have it involve, the dominance of that people over my people.

Then what are we to do? We have, as I have told you, a large negro majority in South Carolina. Negroes constituted the wealth of that State before the war when these slaves were chattels. They are there, and they do not want to leave, and we do not want them to leave. What I mean by that is that to-day the superficial thought is that if they left our fields would go untilled, our lands would become worthless, there would be a vacuum in the productions of that State, and if you took them out of the

South you would create a cataclysm in finance, and would knock down and destroy not only the financial prosperity of this nation, but of all Europe.

So you can not approach this problem at a double-quick. It has been coming on us for two centuries or more. We will have to take the time to study out the best way to go about settling it, and then begin. We had better never begin than to begin wrong. We have already begun wrong. The blunders which have been made since 1865 have produced the present unfortunate and, I might say, dangerous situation.

Consider for a moment what it means to undertake to deport these people, to encourage them to emigrate. You are face to face with a problem which in its magnitude in expense will approximate the national debt at the close of the war. The getting together even in small quantity of 200,000 a year, or whatever number might equal the birth rate, and giving them the aid and the assistance to go across the ocean, or to go to South America, or to Mexico, or to the Philippines, or to Cuba, or to Africa, or anywhere else, involves transportation by sea, the food necessary to sustain them while they are on the way and in the time they are on shipboard the food to support life; and then when you land them on the other shore you are compelled by humanity to furnish them with the means of support until they can make a start in the world, until they can plant a crop and gather it.

So I think upon a rough estimate you can not possibly hope or expect to accomplish it under \$300 per capita at a very low estimate.

How many of them want to go? I do not know, and certainly there is no law to make them go and Congress can not pass one. Joe does not want to go—my Joe. I do not know whether I belong to Joe or Joe belongs to me. Anyhow, we have been together for thirty years, and we have agreed to live together until one or both of us die, and when I go away, if I go first, I know he will shed as sincere tears as anybody. I would die to protect him from injustice or wrong.

Now, what are you going to do about it? Throughout that broad land there are hundreds and thousands of Joes. They do not care anything about voting. They do not know anything about it. Left alone and in peace as they are now, they do not know anything about the elections. They have forgotten all they did know about them. They have not voted in South Carolina since 1881, long before they were disfranchised according to the constitution and the law of the State. When we took the government away from them in 1876 we made it so clear that we intended to keep it that, after one or two spasmodic efforts, they surrendered all desire or contention, and virtually were satisfied to go and pick cotton on the 6th or 7th of November, when the first Tuesday came.

It is only these pestiferous creatures who are organized, as I said, into little Republican machines to furnish delegates to nominate a Republican President who are bothering about it; and it is those fellows who are in these offices who stir up bad blood and create race antagonism and create a feeling of opposition in the minds of all those who are willing to be misled.

Then comes this other idea—I had forgotten it. I wish the Senator from Ohio [Mr. HANNA] was in his seat. I have here a bill which I should like to have him explain. I had almost let it slip my mind. It is Senate bill 7254, introduced by Mr. HANNA, "to provide pensions for freedmen," and so forth. "Be it enacted," and so on. The bill carries with it—how much I do not know—forty, or fifty, or sixty million dollars. Oh, Mr. President, did Mr. HANNA mean that, or is it a political dodge? He can not answer, for he is not here. If he chooses to answer tomorrow, I shall be glad to hear him.

What has been the effect of this? There are passing up and down the South, from one end of it to the other, agents, shrewd, sharp fellows, mostly mulattoes, who have all the meanness of the white man, along with some intellectual superiority—many of them; some of them are good people. But these scoundrels are collecting at the negro churches and schools 10 cents, 20 cents, 30 cents, in accordance with the ability of the poor dupes to contribute to this fund, to hire lawyers to press this bill through Congress.

My God, was there ever a more infamous scheme to bamboozle and deceive since the Freedman's Bureau had those people contribute of their substance fifty-odd million dollars and then you allowed a lot of fellows to steal the best part of it?

Is there anybody on the other side willing to help me put this pension bill in one of the appropriation bills as a rider? I intend to move it—God knows I will—and let you vote on it, if I can get a chance. I want you to put yourselves on record whether you love these old negroes as well as I do. I am perfectly willing to give Joe and Kitty, both of whom were old slaves and who are ex-slaves, an appropriation of three or four hundred dollars or \$10 a month apiece, and I will give them each a piece of land and let them stay on it, and when I want my shoes blacked and

my carriage horses hitched up, or anything done for which I pay Joe, I will get it just the same without regard to the pension that Mr. HANNA is proposing to give.

Well, Mr. President, I am done. I have treated this subject but imperfectly, but I have spoken from the soul, from my very heart, to tell you the truth, so help me God. I warn you that in proportion as you arouse false hopes in these people's minds as to their future, keeping the door of hope open by giving them offices, you are only sowing the wind which will flame up into a whirlwind later on. You can not keep that door open without shutting it on the whites. The Northern millions which have gone down there have gone into negro colleges and schools to equip these people to compete with their white neighbors.

All of the millions that are being sent there by Northern philanthropy has been but to create an antagonism between the poorer classes of our citizens and these people upon whose level they are in the labor market. There has been no contribution to elevate the white people of the South, to aid and assist the Anglo-Saxon Americans, the men who are descended from the people who fought with Marion and Sumter. They are allowed to struggle in poverty and in ignorance, and to do everything they can to get along, and they see Northern people pouring in thousands and thousands to help build up an African domination.

Senators I leave the subject with you. May God give you wisdom and light to "do as you would have others do unto you."

Mr. CARMACK. Mr. President, I had expected to submit some observations, following the Senator from South Carolina, but I dislike to go on at this late hour in the evening. I desire to take the floor now simply to submit my remarks to-morrow, if it is agreeable to the Senate.

Mr. CULLOM. Will it not be agreeable to the Senator to continue until about 6 o'clock?

Mr. CARMACK. Very well; I will go on now.

The PRESIDENT pro tempore. The Senate will please be in order.

Mr. CARMACK. Mr. President, if the question which has today been under discussion concerned only the people of Mississippi, I should not have one word to say in this debate. The Senator from Mississippi [Mr. McLAURIN] has shown himself amply able to defend the honor of his constituents against the aspersions that have been cast upon them. But it does not concern the people of Mississippi alone. What has been done to the people of Indianola might have been done and may be done to any other Southern community where the people dare to say above their breath that they would rather have a white person for their postmaster than a negro. That is absolutely all that the people of Indianola have done. You may take all the proof that has been paraded before the Senate and you will not find therein one scrap of evidence to show that a single act of violence was committed, that a single harsh or intemperate expression was uttered, or that any threat of violence was intended to be conveyed.

The Senator from Wisconsin [Mr. SPOONER] seizes upon certain inconsequential expressions like "unpleasantness" and "strained relations," and he finds therein a threat of violence as easily as Sergeant Buzfuz found a proposal of marriage in the words "chops and tomato sauce." [Laughter.]

The statement went forth from the White House that the report of the inspector showed that threats of violence had been made. I have read that report of the inspector. I find nothing in it except a farrago of tomfoolery—of alleged suspicious circumstances; but even this inspector does not pretend that he had ever heard of one single threat as having been made by a single individual in the town of Indianola.

But as I have said, Mr. President, it is not my purpose to defend the people of Indianola. The Senator from Mississippi has done that with a clearness, a force, and an ability which leaves nothing to be desired.

I shall assume for the purpose of this argument that the statement which went forth from the White House is exactly true; that is, that a few, and only a few, of the people in the town of Indianola made threats of violence against the postmaster, and that she was driven in terror of her life, because of those threats, to abandon the post-office. Assuming, for the sake of argument, all that to be true, I say the action of the President in this matter was not in accordance with reason or with justice or with the plain letter of the law.

When this charge was first spread broadcast over the country an ancient statute was exhumed, under which it was proposed to visit condign punishment upon these malefactors. All the terrors of the law and its majesty were invoked to crush these criminal conspirators who had challenged the power of this great Government and trampled upon its authority. What has become of that statute? What has become of that act which "roared so loud and thundered in the index?" The Senator from Wisconsin thanked God that the President had seen his way clear to uphold the right of the Federal Government to maintain its functions within the

States, and to carry on the governmental business, and to enforce the laws of the United States.

I ask him who is maintaining the functions of the Government in the town of Indianola? Who is carrying on the governmental business there? Who is enforcing the law? There is a law upon the statute book which makes it the duty of the President to maintain a post-office at every county seat, including the town of Indianola, and which forbids him to abolish or discontinue it. That is a part of the functions of the Government which the Senator from Wisconsin says it is the President's duty to maintain; that is a part of the governmental business which it is his duty to carry on; that is one of the laws which it is his duty to enforce; yet the Senator thanks God that the President has "seen his way clear" to enforce this law by taking the Indianola post-office and fleeing with it to a distant town, 30 miles away, because of the alleged violence of certain supposititious ruffians who have made imaginary threats!

I ask, Mr. President, if this is worthy the man of the "strenuous life?" He who rode into the jaws of death and the mouth of hell, who showed like Bellona's bridegroom on the red edge of battle, who "the multitudinous seas incarnadined" with the crimson torrent which from the top of San Juan Hill ran bubbling to the main—he abandons his post of duty and flies beaten and discomfited by a little band of ruffians in a little country town! [Laughter.] What "a lame and impotent conclusion" for this strenuous Administration!

The Senator from Wisconsin says that the President has not abolished the post-office at Indianola. Oh, no, Mr. President; he has not abolished it. He has simply taken it under his arm and scuttled with it—carried it away to the town of Greenville.

The President shook a penal statute in the faces of these alleged law breakers; he commanded them to keep the peace; he commanded that they should cease to interfere with the postmaster there, but when they refused to do it he simply took up the post-office and moved away with it. [Laughter.] And that is what the Senator calls enforcing the law, and he thanks God that the President had the manhood to do it.

I think that some sage Dogberry of the Post-Office Department must have been the adviser of the Administration in this weighty business.

You shall comprehend all vagrom men—

Said Judge Dogberry.

You are to bid any man stand, in the prince's name.

The second watch asked:

How, if he will not stand?

To which Dogberry replied:

Why, then, take no note of him, but let him go, and presently call the rest of the watch together and thank God you are rid of a knave.

That is how the President has washed his hands and discharged his conscience of the obligations laid upon him by the laws of the United States. [Laughter.]

The Senator from Wisconsin laid great stress upon the fact, or the alleged fact, that the mayor of the town of Indianola had refused to promise that the postmaster at Indianola would be protected, and this is the main ground upon which the President's action is defended. The Senator read from the opinion of Chief Justice Marshall as follows:

No trace is to be found in the Constitution of an intention to create a dependence of the Government of the Union on those of the States for the execution of the great powers assigned to it. Its means are adequate to its ends, and on those means alone was it expected to rely for the accomplishment of its ends.

To impose on it the necessity of resorting to means which it can not control, which another government may furnish or withhold, would render its course precarious, the results of its measures uncertain, and create dependence on other governments, which might disappoint its most important designs, and is incompatible with the language of the Constitution. (*McCulloch v. Maryland*, 17 U. S.) * * *

Commenting upon that, the Senator said:

This is vital, and if the Government is not dependent upon the consent of States to the exercise of governmental functions, how much less is it dependent upon the consent of the people of towns, villages, and cities?

All of which, Mr. President, I most potently believe. Yet the very plea upon which the Senator laid so much stress in his argument was that the Government of the United States could not exercise its functions in the town of Indianola because the mayor of that town refused to give assurance that he would support the Government in the conduct of its business and in the execution of its laws. For that very reason the President abandoned all effort to maintain a post-office there.

The Federal Government, says the Senator, is not dependent, and must not be dependent, upon the local authorities in cities, towns, and villages, yet his very plea is that it is so absolutely dependent that it can not exercise its functions unless it has a promise of support from the mayor and town constable of a country village!

The Senator says the sign of sovereignty of the Federal Gov-

ernment in Indianola is the post-office, and he thanked God that the President of the United States had the manhood to uphold that sovereignty by taking down the sign! Where is the sign of the sovereignty of the Federal Government in Indianola now? It was there, and it would be there now if the President had not taken it down and carried it off to Greenville.

Let me read again from this opinion of Chief Justice Marshall:

Its means—

That is, the means of the Federal Government—

Its means are adequate to its ends, and on those means alone was it expected to rely for the accomplishment of its ends.

In the printed report of his speech the Senator lays particular stress on this language by putting it in italics. I wish to emphasize the very same language, because it constitutes the greatest indictment against the action of the President in the removal of the post-office from Indianola:

Its means are adequate to its ends, and on those means alone—

On those means alone—

was it expected to rely for the accomplishment of its ends.

What are those means? Chief Justice Marshall does not leave us in doubt. He tells us in this same opinion from which the Senator read:

The United States may, by means of physical force exercised through its official agents, execute on every foot of American soil the powers and functions which belong to it.

That is good law; that is good constitutional wisdom. I indorse every word of it. The Government may "by force" execute its powers and functions. It may "by force" deal with these men who interfere with the conduct of the Government's business. But if the Senator wants to justify the action of the President in this matter, let him bring here some opinion of Chief Justice Marshall which says that the proper way for the President to accomplish the ends of this Government is to abandon all effort to exercise its functions or to execute its laws whenever it meets with threats or resistance on the part of a few individuals.

The Senator said:

The technical ground upon which the war was carried on was the right of the Federal Government to enforce its laws and to protect its property and to carry on governmental business all over the United States.

But, Mr. President, suppose that the Federal Government at that time had acted upon the principle and the line of conduct adopted by President Roosevelt in this case; suppose Abraham Lincoln had said to the people in all the seceding States, "If you do not cease to resist the Federal Government and to defy its authority, then we will withdraw from your States and cease to make any effort to carry on the business of the Government or to enforce its laws among you." If he had acted upon the line of conduct thus laid down by President Roosevelt this country would have been disunited and secession would have triumphed without a blow.

Mr. President, I wish to call attention to the statute to which I have referred and to which the Senator from Wisconsin, I suppose, referred when he admitted that the President had no right to abolish the office at Indianola, because that was a county seat. The language of the law is—

That no post-office established at any county seat shall be abolished or discontinued by reason of any consolidation of post-offices made by the Postmaster-General under existing law.

Has not that law been violated? The Senator says that the post-office has not been abolished; but has it not been discontinued? Has not a continuance of that office at Indianola been interrupted? If so, Mr. President, then the law laid down in that statute book has been violated by the President. He has undertaken to deal with an unproved and doubtful violation of one law by a plain and palpable violation of another.

Mr. President, I confess I am one of those who have looked with apprehension upon the enormous and aggressive power of the Executive of this country. I have sometimes feared that Congress would become a mere clerical body to register the edicts of the Executive as subserviently as a Roman Senate registered the edicts of the Caesars. I have sometimes thought that the States were perishing in the shadow of the Federal Government; but if this plea, which has been put forward in behalf of the President, is to be taken as a measure of the strength of the Executive and the dignity of the Federal Government, then this Government at Washington deserves to be despised for its weakness and imbecility rather than feared for its power.

The President has no discretion in this matter. The law says that a post-office at a county seat shall not be abolished or discontinued. It was not intended by that law, Mr. President, to secure simply the name and the shadow of a post-office; it was intended to secure an actual post-office that would give to all of the people in that community the advantage of post-office facilities.

Why has it not been done? The only excuse is that there have

been threats of violence; that the Federal Government has met with resistance in its efforts to carry on its business. Before that can be accepted as a plea, Mr. President, the resistance must reach the extent of overwhelming physical force which amounts to a rebellion, and a successful rebellion, against the authority of the United States. Accept the plea that has been made by the Senator in behalf of the Administration, and you must admit that the Federal Government in its efforts to execute the law and to carry on the governmental business in the town of Indianola has met with a resistance with which it can not cope. When we come to see what that resistance is we find from the President's own statement that it comes from a mere handful of alleged desperadoes who have not done anything up to this time except make threats.

This great and mighty Government, this world power, with a strenuous and militant President at its head, recoils, retreats, acknowledges humiliation and defeat before a mere bakers' dozen of unarmed Mississippians, who have never done anything worse than to whittle box tops at a country store! That, sir, is to be taken as the measure of the power and dignity of this great Government in enforcing its laws! Why did not the President say: "I will take my stand here; the law charges me with the duty of maintaining a post-office and carrying on the governmental business here in the town of Indianola, and I intend to do it. This post-office is the property and it is the business of the Government of the United States. Let any man undertake to interfere with it, and on his head I launch the thunderbolts of the law." Is it confessed that he is not able to do it? Is it confessed that a mere handful of alleged ruffians in a little country village are more powerful than this great Government with this militant President at its head? Why does he not enforce the law and punish the guilty? There is only one good reason that can be given, and that is that no law has been violated and there is no man to punish.

Mr. President, I do not desire to go into any elaborate discussion of the race question, which has been discussed so fully and so ably by my friend from South Carolina [Mr. TILLMAN], but I do think, contrary to what is said sometimes by people in my own part of the country as well as elsewhere, that this question ought to be discussed. I do not agree with those who say that it ought to be left alone to settle itself. If we can reach a time when we can consider the question with an honest purpose, I think it ought to be agitated and I think it ought to be discussed. I had hoped, sir, that the time would come when Senators on both sides of this Chamber would be in the mood and temper calmly and dispassionately to consider the darkest problem that has ever confronted the people of the United States, and a problem which, in my judgment, grows blacker and more ominous as the years go by.

When I learned that an eminent Senator upon the other side of the Chamber had suffered such a reaction from his ancient prejudices as to express his regret that slavery had been abolished in this country, and when the distinguished Secretary of War, speaking, I suppose, for the Administration, declared his belief that the enfranchisement of the negro was a mistake or a failure, I began to feel that we were approaching a time when all of us, without regard to party division, might confront this question with a common wish and a common purpose.

But, Mr. President, the settlement of the race question will not be advanced by forcing the appointment of negro officeholders in the Southern States. You may say it is a blind and an unreasoning prejudice that objects to it. We do not think so. But even a prejudice, if it be a rooted and ineradicable prejudice, is a fixed and immovable fact, and it is the part of a wise statesman to make a place in the law for facts which the law can not budge.

That which you call race prejudice exists in the North just as it does in the South. It is not so rampant among you because, for one reason, you have not so many negroes, and because, in the second place, your Republican Administrations have carefully refrained from provoking race prejudice in your country. Why do you not appoint negro postmasters in the Northern States as well as in the South? How many negro postmasters are there in the President's own State, New York? How many of them are there in the States north of the Mason and Dixon line? How many Senators upon the other side of the Chamber have ever recommended the appointment of a negro for postmaster or for any other office in their own States? How many have ever nominated a colored man for cadet at West Point or Annapolis? And yet, Mr. President, you recognize every other distinct class of voters, whether distinguished by race or by religion or by any other cause. You have offices with which to placate the Irish, and the German, and the Scandinavian, and the Italian, the Protestant, the Catholic, and the Jew; but you have no offices for negroes in your own States.

Yet the negro votes in your State are far more important to you politically than the negro votes in the South. Again and

again you have held power by the grace of the negro votes cast in the great pivotal States. Again and again you have carried New York, and New Jersey, and Ohio, and Illinois, and Indiana by the negro votes in those States. Yet you do not dare appoint negroes to office in those States, because you know it would offend the white voters and they would show their displeasure at the polls. You continue to appoint them in the Southern States, though you know you arouse passions and antagonisms which bode no good to the negro, no good to the white man, and no good to the country. You sit apart from this problem and you say, "What strange people these Southerners are!"

Mr. President, we are the same kind of people you are, or would be, under the same circumstances. The Southern people are the purest blooded Americans in this country. They are nearly all the descendants of a colonial ancestry. They are the sons of the sires who conquered the wilderness and laid broad and deep the foundations of American liberty. They are not cruel; they are not bigoted; they do not hate the negro; they sincerely wish him well. But they have this characteristic which is in the blood of their race, in whose veins it may run: They will not divide sovereignty and dominion of their own country with a lower or an inferior race. Offend this prejudice, if you call it so, antagonize it, and the result is strife and hate and bitterness and conflict.

The Secretary of War in a public speech declared that the enfranchisement of the negro had proved to be a failure, and that we must recognize it as such. Then pausing to give emphasis to his statement, he said, "I need say no more." But it is incumbent upon him as the spokesman of the Administration to say more than that, and to tell us what he and the President, as the leader of the dominant party, propose to do or think should be done under the circumstances. If they are not ready to do that, then the best thing they can do is to let this thing alone and to leave it in the keeping of the Southern people, who are the best, I had almost said the only, friends of the negro in this country.

What shall be done in the future I do not know. It was an accursed hour that transplanted the African negro to this American continent and transmitted to future generations a question to which time and the wisdom of man have given no answer.

Mr. President, I do not believe that the Almighty ever intended that two races, so deeply and so radically differentiated, should inhabit the same country or share in the same government. Whom God hath put asunder let no man join together. I do not believe that the white man is fit to have uncontrolled power over the black. I do not believe that the black man is fit to share in the government of the white. Let me say, Mr. President, that as much as I detest imperialism, I would accept it, though with loathing, before I would consent to the proposition sometimes made to admit the Filipinos to statehood in the American Union and give them a hand in controlling the destinies of this great Republic. The violation of God's ordinance which fixed the habitation of the colored man in Africa has been an unmixed curse to the American people. It has been productive of lamentable departures from the true principles of our Government.

Some of us who oppose the policy of this Government in the Philippines have been taunted with the charge that we have not been faithful to our own precepts in our treatment of the negro. The all-sufficient answer is that if in our dealing with a problem which we did not create but inherited there have been enforced departures from the Declaration of Independence, it is unfortunate that it should be so, and it should not serve as a precedent to justify us in deliberately going 7,000 miles away and waging a bloody and costly war to impose the yoke of political slavery upon another people in their own country.

I believe, sir, in the Declaration of Independence. I believe that every people, whatever may be their type or standard of civilization, and in whatever stage of civilization they may be, if left to themselves, will find and consent to a form of government best suited to their own needs and better than any outside power can impose upon them. But I believe that no two people, with a different standard and a different type of civilization or in different stages of civilization, can successfully unite in the government of the same country.

The President at one time said it had taken our race a thousand years to develop a capacity for self-government. That was, as I have said before, incorrect and unhistorical. When history first found our Teutonic forefathers in the German wilderness they were a free, democratic, self-governing people. It is a fact that left to themselves they laid the foundations upon which we have reared the magnificent superstructure of government under which we live. It is a fact that they preserved and perpetuated and transmitted to future generations that grand conception of representative free government which all the lawgivers of the past had missed. But it is further true that while they were capable of self-government, even as they were first found, they would not have been fit to share in the government of such a democracy as that of Athens in her prime. We must distinguish between

people of different standards and of different types and in different stages of civilization, and we must keep them apart and let each be governed by its own laws in its own country.

Mr. President, I must say frankly, with respect to the race question in the United States, that I have heard no suggestion for its solution that seems to me to be wise or feasible. The one solution upon which the greatest stress is laid is that of education. It seems to me that most that has been said on this line is a mere darkening of counsel by words without knowledge. It seems we have tried not to see this question as it is, for when we strip it stark naked we must admit that it is not merely a question of ignorance or intelligence; not a question of literacy or illiteracy; it is a question of white and black. It is a race question, and we need not attempt to disguise it.

Some time since I read in a newspaper a statement to the effect that the average Southerner imagines he has stated the whole case when he asks his Northern critic if he would be willing for his sister to marry a negro. Foolish and irrelevant as it may seem, that epitomizes the whole question. No well-bred New Englander would be willing for the blood of his family to mingle with that of a negro, no matter how worthy as an individual he might be; and when it is admitted that no amount of mental or moral culture will make possible social equality or intermarriage between the races, then you admit that there is an insuperable and invidious bar between them.

If it shall be the effect of education to make the negro chafe under the white man's assertion of superiority, if it shall make him aspire to that condition of equality in which his race and color will no longer be regarded as badges of inferiority, then it will only complicate the problem. It will only intensify antagonisms between the races.

Let it be said, Mr. President, that social equality means intermarriage. There can be no social equality where it is mutually understood that intermarriage is forbidden by a law, written or unwritten, which takes no note of the character of individuals, but proclaims that all the individuals of one race are superior to all the individuals of another. There can be no social equality that does not admit the right of intermarriage, because it is not social equality if it does not.

Many people in the Northern States have not understood the feeling of outrage and indignation on the part of the Southern people with respect to acts which seemed to admit the negro to terms of social equality. Mr. President, it is simply the instinct of race preservation which revolts at any act tending to break down the barriers that nature has erected between the white man and the black.

While I would not undervalue the effect of education on the mind and character, I must say that those take a very superficial view of this question who imagine that it is any cure whatever for the race question. A literary education is a matter of comparatively easy achievement. The development of character comes by the slow process of evolution. The character of the most highly developed nations and races of men in the world to-day represents the accretions, the inherited and transmitted accretions, of many generations. It can not be expected that a mere book education, mere teaching to read and write, can elevate to a plane of equality with the white man and make capable of the high duties of American citizenship a race which has passed from ages of barbarism through centuries of slavery.

There are people, Mr. President, who think that this question will be solved or that the most acute phase of it will disappear when the color line ceases to be the line of political division in the Southern States. It seems to me, sir, that this will only change the aspect of the question by presenting it in a darker and more sinister form. I understand that it is not a natural or a healthful condition for the intelligence, the culture, the wealth of a State to be all massed in one political party. In such conditions it is impossible that we should have that intellectual rivalry, that wrestling of mind with mind so necessary to develop men of masterful power in thought and leadership. I admit all that is true; but what would be the result if you could break the bonds which attach the negro to the Republican party and if you could divide the white people of the South equally between the two political parties? You would have upon the one hand two evenly matched political organizations, led by eager and active politicians, engaged in a desperate struggle for political supremacy. You would have on the other hand a great mass of venal, corrupt voters, with no enlightened conception of the duties and responsibilities of citizenship, constituting the balance of power.

Such a condition, Mr. President, would be fatal to the morals of any political party. Our election contests would be a riot of corruption. Our politics would be debauched to the last degree. The negro vote, constituting the balance of power, would go to whatever party or candidate would bid the highest or stoop the lowest for its support. We should have a condition in which no

man would dare to be a candidate for office if he had any character to lose or unless he had unlimited money to spend.

We know, Mr. President, how far men will go in the stress of politics. We know the progressive power of debauchery. We know how the public conscience is calloused by long contact with corruption. Sir, we have seen one of the fairest in this sisterhood of States debauched and deflowered by the lust of one coarse and vulgar millionaire; and instead of shocking the conscience of every honest man in this country, this Senate to-day is expected to reward with office and with honors one of the instruments of his depravity. More than that, he has the insolence publicly to proclaim that none but his own panders and procurers may expect any favors at the hands of the National Administration.

If these things can be done in a State like Delaware, with such a high type of citizenship, among a people where corruption was practically unknown, what may not be done in States where there are thousands of voters eager to be bribed and without any sense of shame or consciousness of moral delinquency in the transaction? So, Mr. President, I say that while present conditions are unfortunate, it would be tenfold worse, it would be ruinous and destructive to all the Southern States if the white people should ever divide and the colored vote should wield the balance of power.

Mr. President, I am aware that I have suggested no solution for the race question; but the first step in the solution of any problem is to get a clear understanding of its real nature and character, and to put aside all false and delusive remedies. This question, unfortunately, has heretofore been a footfall of party politics. When it has ceased entirely to be a partisan or sectional question; when it is recognized as a question that vitally affects the welfare of the whole nation, then we may look it frankly in the face, and in our united councils we may find wisdom for its solution.

HOOR OF MEETING.

Mr. CULLOM. Mr. President, before I move for an executive session, I desire to say that as the time is getting brief before the session will close, I think it is our duty to meet at an earlier hour. I therefore move that hereafter when the Senate shall adjourn it shall meet, until otherwise ordered, at 11 o'clock instead of 12.

The PRESIDENT pro tempore. The Senator from Illinois moves that hereafter, until otherwise ordered, the Senate shall meet at 11 o'clock each day. The question is on the motion of the Senator from Illinois.

The motion was agreed to.

CONSIDERATION OF PENSION AND MILITARY-RECORD BILLS.

Mr. GALLINGER. Mr. President, I ask unanimous consent that to-morrow, at 5 o'clock, the unobjected pension cases on the Calendar and the cases correcting the records of soldiers be taken up for consideration.

Mr. PLATT of Connecticut. Allow me to suggest to the Senator from New Hampshire whether those bills could not be considered at an evening session?

Mr. GALLINGER. I recall the fact that during the last session I made several requests for evening sessions and there was always objection made.

I meant to say, Mr. President, that the order will not interfere with appropriation bills.

Mr. PLATT of Connecticut. To-morrow is a day when there ought to be a good deal of business transacted, and I think we might have an evening session for pension matters.

Mr. GALLINGER. I will say frankly that for myself I will not be here at an evening session during the present session.

Mr. CULLOM. I hope the request of the Senator from New Hampshire may be granted.

Mr. GALLINGER. However, some one else might take charge of the matter.

Mr. CULLOM. It is that at 5 o'clock to-morrow unobjected pension bills, etc., shall be considered.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that at 5 o'clock to-morrow the Senate shall consider unobjected pension cases and bills for the correction of military records. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, February 25, 1903, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 24, 1903.

PROMOTIONS IN THE ARMY.

Artillery Corps.

Lieut. Col. George G. Greenough, Artillery Corps, to be colonel, February 21, 1903, vice McCrea, appointed brigadier-general.

Maj. Peter Leary, jr., Artillery Corps, to be lieutenant-colonel, February 21, 1903, vice Greenough, promoted.

Capt. James C. Bush, Artillery Corps, to be major, February 21, 1903, vice Leary, promoted.

First Lieut. Winfred B. Carr, Artillery Corps, to be captain, February 21, 1903, vice Bush, promoted.

Second Lieut. John V. Green, Artillery Corps, to be first lieutenant, February 21, 1903, vice Carr, promoted.

Quartermaster's Department.

Lieut. Col. Charles A. H. McCauley, deputy quartermaster-general, to be assistant quartermaster-general, with the rank of colonel, February 24, 1903, vice Furey, appointed brigadier-general.

Maj. Theodore E. True, quartermaster, to be deputy quartermaster-general, with the rank of lieutenant-colonel, February 24, 1903, vice McCauley, promoted.

Capt. John T. Knight, quartermaster, to be quartermaster, with the rank of major, February 24, 1903, vice True, promoted.

Cavalry Arm.

Lieut. Col. Eugene D. Dimmick, Second Cavalry, to be colonel, February 22, 1903, vice Huggins, Second Cavalry, appointed brigadier-general.

Maj. Samuel L. Woodward, First Cavalry, to be lieutenant-colonel, February 22, 1903, vice Dimmick, Second Cavalry, promoted.

Capt. Joseph A. Gaston, Eighth Cavalry, to be major, February 22, 1903, vice Woodward, First Cavalry, promoted.

First Lieut. Lanning Parsons, Fourth Cavalry, to be captain, February 22, 1903, vice Gaston, Eighth Cavalry, promoted.

Second Lieut. Consuelo A. Seoane, Third Cavalry, to be first lieutenant, January 30, 1903, vice Chitty, Third Cavalry, promoted.

Infantry Arm.

Lieut. Col. Albert L. Myer, Eleventh Infantry, to be colonel, February 23, 1903, vice Goodale, Seventeenth Infantry, appointed brigadier-general.

Maj. Alfred Reynolds, United States Infantry, inspector-general, to be lieutenant-colonel, February 23, 1903, vice Myer, Eleventh Infantry, promoted.

PROMOTION IN THE NAVY.

Lieut. William McCarty Little, United States Navy, retired, to be a captain in the Navy on the retired list, from the 21st day of February, 1903, in accordance with the provisions of an act of Congress approved February 21, 1903.

REGISTERS OF LAND OFFICES.

Charles B. Frost, of Eureka, Cal., to be register of the land office at Eureka, Cal., vice Henry A. Olsten, term expired.

Fred H. Greely, of Marysville, Cal., to be register of the land office at Marysville, Cal., vice Frank W. Johnson, term expired.

WITHDRAWAL.

Executive nomination withdrawn February 24, 1903.

Midshipman Ralph M. Griswold, to be an assistant naval constructor in the Navy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 24, 1903.

PROMOTIONS IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Rudolph H. von Ezdorf, of the District of Columbia, to be a passed assistant surgeon, to rank as such from March 4, 1903, in the United States Public Health and Marine-Hospital Service.

Asst. Surg. John F. Anderson, of Virginia, to be a passed assistant surgeon, to rank as such from March 18, 1903, in the United States Public Health and Marine-Hospital Service.

POSTMASTERS.

GEORGIA.

Hattie F. Gilmer, to be postmaster at Toccoa, in the county of Habersham and State of Georgia.

KANSAS.

Joseph C. Kitchen, to be postmaster at Garden City, in the county of Finney and State of Kansas.

John K. Cochran, to be postmaster at Pratt, in the county of Pratt and State of Kansas.

Charles W. Davis, to be postmaster at Conway Springs, in the county of Sumner and State of Kansas.

Isaac S. Coe, to be postmaster at La Harpe, in the county of Allen and State of Kansas.

MISSOURI.

Frank L. Wilson, to be postmaster at Bowling Green, in the county of Pike and State of Missouri.

Troy L. Crane, to be postmaster at Lees Summit, in the county of Jackson and State of Missouri.

Thomas J. C. Fagg, to be postmaster at Louisiana, in the county of Pike and State of Missouri.

William L. H. Silliman, to be postmaster at Clarksville, in the county of Pike and State of Missouri.

Charles M. Alger, to be postmaster at Hannibal, in the county of Marion and State of Missouri.

W. W. Wagner, to be postmaster at Jefferson City, in the county of Cole and State of Missouri.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 24, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved. The SPEAKER. The Clerk will read the special order for to-day.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 7412. An act to amend the second section of an act entitled "An act providing that the circuit court of appeals of the eighth judicial circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year, and at the city of St. Paul, in the State of Minnesota, on the first Monday in May in each year," approved June 9, 1902; and

S. 5369. An act granting an increase of pension to Charles R. Allen.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4850) to increase the pension of those who have lost limbs in the military or naval service of the United States, or are totally disabled in the same.

SENATE BILLS REFERRED.

Under cause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 7414. An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

S. 5369. An act granting an increase of pension to Charles R. Allen—to the Committee on Invalid Pensions.

S. 7412. An act to amend the second section of an act entitled "An act providing that the circuit court of appeals of the eighth judicial circuit of the United States shall hold at least one term of said court annually in the city of Denver, in the State of Colorado, or in the city of Cheyenne, in the State of Wyoming, on the first Monday in September in each year, and at the city of St. Paul, in the State of Minnesota, on the first Monday in May in each year," approved June 9, 1902—to the Committee on the Judiciary.

PHILIPPINE CURRENCY.

The Clerk read as follows:

On motion of Mr. COOPER of Wisconsin, by unanimous consent, it was ordered that the bill H. R. 15520, "A bill to establish a standard of value and to provide for a coinage system in the Philippine Islands," with Senate amendments and amendments of the Committee on Insular Affairs, be made the special order for Tuesday next immediately after the reading of the Journal.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent that debate upon this bill be limited to two hours, one hour of the time to be controlled by the gentleman from Virginia [Mr. JONES] and the other hour to be controlled by myself.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that debate be limited to two hours, one hour to be controlled by the gentleman from Wisconsin and one hour by

the gentleman from Virginia [Mr. JONES]. Is there objection to this request?

Mr. RICHARDSON of Tennessee. That means general debate, of course, Mr. Speaker?

The SPEAKER. That is the meaning of the request. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Chair recognizes the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. Mr. Speaker, the bill which passed the House some weeks ago is returned from the Senate with nothing remaining but the number and the title, the Senate having stricken out all after the enacting clause and substituted an entirely new measure. The bill as it now comes to the House does not differ in principle, though it does somewhat in detail, from the bill originally reported from the Committee on Insular Affairs. It provides in the first section for the coinage of a gold piece of one-half the weight of the United States gold dollar, that is to be called a gold peso, and become the standard of value in the Philippine Islands.

The silver peso provided in the Senate bill here pending is to be received as the equivalent of the gold peso. There is no difference, it will be apparent to the House, in principle between this bill and the bill as originally reported from the Committee on Insular Affairs. That bill provided that the United States gold dollar should be the standard of value, and that the Philippine silver peso should be received for it at the ratio of 2 to 1. This bill provides for a gold unit of value of one-half the weight and fineness of the United States gold dollar, and makes the ratio between it and the silver peso 1 to 1.

Before proceeding with the discussion of the bill I desire to correct some erroneous impressions caused by statements made here in debate on the bill when it was last before the House. It will be remembered that the attention of the House was many times called during that debate, by friends of the bill, to the fact that the initial suggestion for this legislation came from the Philippine Commission, the Taft Commission, in its report of 1900. It was also many times called to the attention of the House that the Philippine Commission were now strongly in favor of the principle of that bill. The force of that declaration, however, was very much weakened before the debate ended, by the assertion made by opponents of the measure that Governor Taft, the head and front of the Commission, had written a letter to a member of the House in which he practically retracted the testimony given by him before the Committee on Insular Affairs, in which he had said that, in his opinion, the introduction of American money into the Philippine Islands "would result in nothing short of disaster."

The letter which was read from him contained a clause in which he said, "I do not insist"—that is, upon the Conant system of the gold-dollar of the United States as a unit—"but I think it is the most feasible." That expression was interpreted to mean that all Governor Taft now wanted in the way of financial legislation for the islands was something that would establish the gold standard, the inference being perfectly clear that Governor Taft had become indifferent as to whether the money of the United States or the coinage proposed by the Insular Committee in its bill was sent there.

On page 1115 of the debate I find this statement by the gentleman from Connecticut:

He says to me that he does not insist on the proposition; that all he wants is legislation giving us a gold standard.

I replied to this suggestion, as the RECORD shows, by saying that Governor Taft had not at all changed his views as to the advisability of putting United States money into the archipelago, and I said that no fair construction of his letter would involve that interpretation. I said that—

Governor Taft is a wise, high-minded man, who knows the duty of an executive and the duties of a legislator. "Insist" is a strong word. He does not "insist" before the American House of Representatives that any plan which he favors shall be adopted.

Referring to the proposition to introduce American money, I said:

But did he indorse the plan? Not at all. He knew of the testimony of the gentleman from Connecticut before the Committee on Insular Affairs, and therefore was well aware that the gentleman from Connecticut is a strenuous advocate of a system in which the Governor does not believe. The Governor adheres, in so far as his silence can be considered as adherence, to his testimony, which is that to attempt to establish that in those islands would result in nothing short of disaster. There is no modification of that statement.

Since that debate and since the bill passed the House of Representatives and went to the Senate Governor Taft has telegraphed to the Secretary of War in relation to the measure. His cablegram, which is dated the 5th of the present month, is part of a Senate document, and I will read it:

MANILA, February 5, 1903.

SECRETARY OF WAR, Washington, D. C.:

Official ratio Mexican dollars to United States currency now \$2.66 to \$1; total direct net loss to insular treasury from depreciation silver since January 1, 1902, \$1,277,941.91.

All business suffering greatly from fluctuation and depreciation insular

treasury; immense losses to merchants who have sold on credit. Failure to furnish relief at this session of Congress would create consternation throughout the islands; added to prevailing financial depression, loss of animals by rinderpest and other contagious diseases, and resulting destitution, the political situation would become more difficult.

I call the attention of the House to this language—

The political situation would become more difficult.

That is a very conservative way to put it.

The political situation would become more difficult.

The adoption American money would enhance prices greatly and derange every form of business. Legislation making gold peso equal one-half American dollar as unit of value, peso and subsidiary minor coinage receivable for all public dues at the rate of 50 cents American money for 1 peso, with provision for issuance silver certificates based on deposit of new pesos, would furnish a currency as good as American money and much better adapted to needs of the islands.

The Philippine Commissioners are unanimous in these views.

TAFT.

So it seems that the interpretation which I, in common with other friends of the then pending bill, put upon the letter of Governor Taft was entirely correct; that he had not at all changed his views as to the unwisdom of adopting the coinage system of the United States, although he did not "insist," as an executive has no right to "insist," that the legislature must enact such a law as he thought best.

We were also told—and it created much effect here in the House—that Mexico was here on that very day, while that debate was in progress, through its representative, endeavoring to secure from the United States an agreement to enter into an international agreement for the establishment of a parity between silver and gold, this international agreement to be entered into by silver-standard countries and gold-standard countries, and that Mexico was desirous, herself, of establishing a coinage system to correspond exactly to ours.

Now, that statement was also erroneous. Mexico has never made a proposition to establish a ratio like that which now obtains in the United States. Her only proposition, and the only proposition of China—and I have them both here—is to establish a system like the one embodied or proposed to be established in the Philippine coinage bills then pending, respectively, in the House and in the Senate. The proposition of Mexico has since been sent to the Senate by the Secretary of State. I have it here, and will read an extract from it:

It is recognized by this Government that bimetalism in the sense of the free coinage of both metals is a policy which has been definitely discarded by leading powers of Europe and by the United States, and that it would be futile to ask its restoration.

It is therefore not the expectation nor the wish of this Government that the gold-standard countries should take any action tending to impair their monetary standard, or to make material changes in their monetary systems. It is desired that the governments of gold countries having dependencies where silver is used, and the governments of silver countries shall cooperate in formulating some plan for establishing a definite relationship between their gold and silver moneys, and shall take proper measures to maintain such relationship. One such plan has already been proposed in both Houses of the Congress of the United States with reference to the Philippine Islands.

Very different would have been the effect upon the House if that statement had been made instead of the statement which was made, that Mexico was here, through her representative, endeavoring to establish a system which would bring it exactly to that of the United States, the inference being that she wished to go upon the coinage ratio of 16 to 1. That is what I thought, as did other members of the House. Then, says the Mexican memorandum:

It seems that it would contribute materially to the permanent and satisfactory settlement of this problem if Great Britain and France, with their important colonial possessions in Asia, and if Germany, Russia, and other countries having large commercial and territorial interests there, would unite with the United States and Mexico in the adoption of a common standard for a new coinage system in the silver countries.

Quite a different impression to be derived from that memorandum and the one which the House obtained from what was said here during debate on this proposition three or four weeks ago.

Mr. Speaker, the bill proposes that this silver peso shall be just like the Mexican peso now there in weight, size, and fineness, but that there shall be upon it a superscription to denote the sovereignty of the United States. Governor Taft said that what the Commission were extremely desirous of doing was to disarrange the coinage system of the islands as little as possible; that they wanted a coin of the same size, weight, and fineness as near as possible, because, as he said, the Filipinos, like all oriental peoples, are much devoted to names and traditions. Therefore, the bill would keep the coin of the same size, fineness, and weight, but make it worth 50 cents in gold. And how? In accordance with an indisputable and everywhere recognized law of finance, that limitation in coinage, together with the fact that that limited coinage is receivable for debts, public and private, will hold it at par.

That is the experience of all countries. It is the experience of France. It is the experience of the United States. The United States silver dollar has never been at a discount, but for years

its coinage has been limited. As I before called to the attention of the House, in a document issued by the Secretary of the Treasury in 1900, on page 18, he says: "Gold and silver dollars, being standard coins of the United States, are not redeemable." And yet they never have been at a discount. What kept them at par? Limitation in coinage and the fact that they were to be received for debts, public and private. There is an illustration of the effect of this law of finance to be found in the history of the existing Philippine coinage. Their coinage consists of 40,000,000 pesos. Six millions of these pesos are Spanish-Filipino pesos, coined by Spain, and the Spanish Government not being in authority in the islands there can be no further coinage of that particular peso.

Yet those Spanish-Filipino pesos, which have from 20 to 25 grains less in weight of silver than the Mexican peso, have always floated at par with the Mexican peso. Why? Because they are just as good for all purposes and the coinage is limited. A person can pay just as many debts with them. They are just as welcome in the hands of the people in the provinces and in the hands of the business men throughout the archipelago as is the Mexican coin, and thus it is only when two precious metals are coined in unlimited quantities that the parity between them can not be maintained. Under this bill the amount of coinage is to be limited by the Philippine government. To maintain its parity with gold there is by construction conferred upon the Philippine Commission by the bill, or will be if it is enacted into law, six powers. These were specifically enumerated in the bill of a year ago, but that specific enumeration is not at all necessary, because the bill provides that the government of the Philippine Islands "may adopt such measures as it may deem proper," not inconsistent with the act of July 1, 1902, to maintain the parity of the silver peso with gold.

They can, in their discretion, pay gold for silver or silver for gold, or transfer any of the current funds in the Treasury to the currency-redemption fund, or sell gold drafts on the United States, or issue certificates under a special authority granted by the bill. But the experts who have been before us say that that limitation in quantity in and of itself is practically enough to keep these coins at par. There will be not more than 40,000,000 of them coined. There are about 40,000,000 there now, and it is not proposed, of course, as they are to be maintained at par, greatly to increase at once the aggregate amount of pesos in the islands. Taxes and customs duties demand about 20,000,000 of pesos a year, so that one peso in every two will be going into the coffers of the government each year. Thus there will be a constant and great demand for these pesos. The rest of them will be in demand by the people generally throughout the provinces and by the wholesale and retail houses in Manila, Iloilo, and other large cities. Limitation in coinage, the constant demand for it, and the powers conferred upon the Philippine Commission will suffice absolutely to insure the parity of these coins with gold.

Mr. McCALL. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. McCALL. I would like to inquire, for the benefit of those of us who thought the House bill was a better measure than the Senate bill, but who still think that the Senate bill is very much better under the present conditions than no legislation at all, what, in the opinion of the gentleman from Wisconsin, would be the practical prospect of legislation if the two Houses should at this stage get into a disagreement over this subject?

Mr. COOPER of Wisconsin. Well, speaking for myself, I will say to the gentleman from Massachusetts that it would seem very problematical, to put it conservatively, whether any financial legislation could be enacted for the Philippine Islands during the present session if this bill should fail. I did not wish to volunteer that statement, because I was charged with having made a threat when I simply gave utterance to a similar opinion during the other debate.

Mr. McCALL. I simply asked for the gentleman's opinion on the subject.

Mr. COOPER of Wisconsin. That is my opinion.

Mr. TAWNEY. Will my colleague permit a question?

Mr. COOPER of Wisconsin. Yes.

Mr. TAWNEY. Have you any information from Judge Taft as to the effect in the Philippine Islands of a failure of action by Congress on this measure?

Mr. COOPER of Wisconsin. There is a cablegram under date of February 5 from Governor Taft, that I read a few moments ago, in which he vividly depicts the condition of financial distress in the islands, and says:

Failure to furnish relief at this session of Congress would create consternation throughout the islands. Added to prevailing financial depression, loss of animals by rinderpest and other contagious diseases, and resulting destitution, the political situation would become more difficult.

And no American patriot wants it to become any more difficult than it is at this hour.

To return to the question which has been raised as to the maintenance of parity with gold of coin issued under the conditions proposed by the bill, I have here the testimony of Mr. Roberts, Mr. Conant, Mr. Hollander, and many others, taken before the Committee on Insular Affairs, in which they, one and all, declare that the system proposed by the bill is identical in principle with the coinage system of India. Here is what Mr. Conant said:

Now, the Indian government, when it undertook, in 1893, to establish the parity of silver rupees by means of a gold reserve, gave to that country exactly the powers granted by the bill of Mr. COOPER to the government of the Philippine Islands.

There was no mandate upon the Indian government to pay gold upon demand; they did not propose to do it.

He embodied in his testimony an extract from an official report of an officer of the Indian government. The Indian government official says:

We have been frequently told, and with perfect justice, that we could never claim to have a true gold standard in India until we were prepared to exchange gold for rupees as well as rupees for gold. By being prepared to exchange I do not mean that we should accept a legal liability to give gold for rupees, but that in practice, as, for example, in France, anybody who wanted gold for internal purposes should be able to obtain gold freely, without let or hindrance.

It is the testimony of expert witnesses who appeared before the Committee on Insular Affairs that one can not obtain gold at the Bank of France ad libitum for export. The Bank of France retains the discretion, just as we propose by this bill to allow the Commission in the Philippines to retain the discretion, to pay gold on demand or not to pay it. The Commission may and will pay out gold when the demand is for legitimate purposes; but they ought not to be compelled to pay gold when the demand is a mere raid on the treasury by professional gold brokers.

Says the official of the Indian government:

Theorists, indeed, argue that neither France nor the United States possesses a gold standard in the full and complete sense of the words.

But I think no one will dispute that if we can advance to the same position as France we shall have attained a gold standard for all practical purposes. A year ago it seemed that we should probably have to sit for a long while under the reproach of our critics and put up with what has been termed an "exchange standard." It then appeared impossible that in twelve months we should be paying out gold to anybody who asked for it. We are doing so now. Whether we shall be able to continue to do so without check or interruption, whether now we have once started giving gold for rupees we may not have to suspend temporarily, is not a matter about which confident prediction can be made. But it would be reasonable to say that the auguries are not unfavorable for our being able to pursue the path on which we have entered.

Mr. Conant continues:

That, I believe, would be the experience of the Philippine government. Reserving the right to refuse gold upon mere arbitrary demand for hoarding, they would find the demands so few for legitimate purposes that they would be able to meet them without difficulty.

The same Indian official reported that instead of there being any trouble in India to procure sufficient gold they imported in two years \$50,000,000 in gold, and that the government had more than there was any actual demand for.

The limitation of coinage, and the fact that it is received for debts, public and private, maintains the parity of silver with gold in India, as it does in France and as it will in the Philippines.

I reserve the balance of my time.

Mr. JONES of Virginia. Mr. Speaker, the Senate bill as amended by the Committee on Insular Affairs is in its main and essential features the measure which the Committee on Insular Affairs originally reported to this House and which was here rejected by the emphatic and decisive vote of 146 to 128. I need scarcely occupy the time of the House for the purpose of demonstrating this fact, for that much is conceded. The report of the Committee on Insular Affairs, which accompanies and recommends the adoption of this Senate measure, makes that admission in so many words. This is the language of the report:

In principle the bill does not differ from the bill as originally reported to the House.

Now, Mr. Speaker, the House is confronted with this proposition: On the 22d day of January last a measure which did not differ either in principle or in any essential particular from that which is now before the House was carefully considered, was debated at length, and was rejected by it. The substitute measure then adopted by the House, and which was sent to the Senate, has never been considered by that body; but a measure, as I have said, practically embodying the same provisions, and identically the same in principle as the rejected committee bill, was substituted in the Senate for the House bill; and the question now before the House of Representatives is whether or not, after having taken this position, it will face about and accept the bill which a month ago it overwhelmingly rejected.

The Senate amendment to the House bill contains one provision, however, which has not found favor with the Committee on Insular Affairs. The fourteenth section of that amendment or bill, a new section added in the Senate, provides that the President of

the United States shall invite the Governments of England, France, and Germany, and such other gold-using nations as he may deem proper, and the Governments of Mexico, China, and such other silver-using countries as he may desire to include, to appoint representatives to meet like representatives to be appointed by him, at the city of Washington, or some other place, with a view to agreeing upon some international ratio between the gold coin of the gold-standard countries and the silver coin of the silver-using countries. This is the chief particular in which the Senate measure now before us differs from that so emphatically rejected by this House. And yet the Committee on Insular Affairs is so tenacious of its opinion, so anxious that the House shall reverse the verdict which it recorded a month ago, that it even rejects that well-intentioned but harmless amendment of the Senate, and reports in favor of a bill, as I have said, which is almost identical with the one rejected in the House.

The Committee on Insular Affairs propose another amendment, which relates to the manner in which debts contracted prior to the 31st day of December, 1903, shall be paid. I believe that that is a proper amendment. I believe that it really improves the Senate measure, and if it be the purpose of the House to reverse its former action then this amendment is proper and should, in my opinion, be adopted.

As to the other amendment, that providing for a silver commission, I for one care absolutely nothing about it. I believe that its author introduced it in good faith. Indeed, I believe that if the object which its author desires through it to attain could be accomplished it would result in great good to the commercial nations of the world. In other words, I believe that if it were possible through any international commission to fix a ratio of exchange between gold and silver, such as would be accepted and acted upon by the commercial nations of the world, that it would be most beneficial to commerce the world over. But, Mr. Speaker, I do not believe that it is the intention of the representatives of the Republican party, either in this body or in the Senate, to permit this amendment to remain upon the bill. It has served its purpose, and the Committee on Insular Affairs now recommend its rejection, as was to have been anticipated, and I have no idea the Senate will insist upon its being retained in their bill. Therefore, believing as I do that from my standpoint it matters little whether it stays in or goes out, I am quite indifferent as to its fate. I shall vote for it because the object which it purports to have in view is a good one.

There are, Mr. Speaker, two or three other changes made in the Senate to the House measure as originally reported from the Committee on Insular Affairs. As the chairman of the committee has stated, the Senate bill provides that there shall be a gold peso, containing 12.9 grains of gold; in other words, a Philippine gold coin containing just one-half the number of grains of gold that are contained in an American gold dollar. But the most peculiar and unaccountable thing about this gold peso is this: Although this bill expressly makes it the unit of value in the Philippine Islands, it does not provide that it shall be legal tender in the islands.

I call the attention of gentlemen upon that side of the aisle to this anomalous condition of affairs. Truly, nothing could exceed the absurdity of this proposition. All of the money current in the Philippine Islands shall be measured by this diminutive coin, to be called a gold peso, and yet no man can take one of them and tender it in payment of a debt, public or private. It is absolutely devoid of legal-tender quality.

But I want to direct the attention of the House, especially of those 28 Republicans who one month ago voted against the bill reported by the Insular Affairs Committee, to the fact that that committee has now reported with a favorable recommendation a Senate measure practically the same as that which was rejected. A measure which, at least in one respect, it must, I think, be admitted is not so good as the House bill which was so decisively defeated. The bill expressly defines in its first section what money shall be legal tender in the Philippine Islands, namely, the gold coins of the United States, and the silver, not the gold, pesos to be coined under its provisions.

The gold peso, the intrinsic value of which is just one-half of that of our gold dollar, and which contains just one-half of the gold contained in our gold dollar, is not a legal tender in the Philippine Islands, although it is a Philippine coin. This, I say, is a remarkable omission in this bill; for I, for one, can not conceive why there should be created in the Philippine Islands a gold unit of value when there is no provision made for the coinage of that unit, and when, even if it were coined, it would not be receivable in payment of debts, either public or private. There is one respect, at least, in which the Senate bill is an improvement upon that which the Insular Affairs Committee asked this House to accept; but which it refused most emphatically to accept.

Mr. SMITH of Kentucky. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER pro tempore. Does the gentleman from Virginia yield to the gentleman from Kentucky?

Mr. JONES of Virginia. Yes.

Mr. SMITH of Kentucky. Do I understand that this bill provides that the gold peso shall be a unit of value, but does not provide for the coinage of any of it?

Mr. JONES of Virginia. It neither provides for its coinage nor does it provide that it shall be a legal tender. On the contrary, it expressly provides what shall be the legal-tender money of the islands.

Mr. SMITH of Kentucky. What is the legal tender?

Mr. JONES of Virginia. The gold coin of the United States and the silver pesos provided for in this bill. The subsidiary silver provided for in the bill is to be legal tender up to and not exceeding the amount of \$10.

Mr. SMITH of Kentucky. The silver peso is a legal tender, but the gold peso is not?

Mr. JONES of Virginia. That is true. The silver peso is to be measured by the gold peso, and yet the silver peso is the legal tender and the gold peso is not.

Now, Mr. Speaker, when I was interrupted by my friend from Kentucky I was about to call attention to another change in the House committee bill made in the Senate measure. The House committee bill did not limit the amount of the silver pesos that might be coined by the Philippine government. That was one of the objections urged by me to that measure when it was under consideration in this House. This Senate bill does, in a measure, correct that evil; it does provide that there shall not be coined by the Philippine government more than seventy-five millions of silver pesos. In still another respect the Senate bill differs from the House committee bill. The House bill provided that the Philippine government might issue and sell certificates of indebtedness not to exceed in amount \$5,000,000, in order to secure the gold with which to maintain the parity between its silver currency and gold. This bill doubles that amount, and provides that the government shall have the right to issue for this purpose certificates of indebtedness, redeemable in gold, to the amount of \$10,000,000, or 20,000,000 pesos, and further provides, as the House bill did not do, that these certificates shall be exempt from all taxation, Philippine, Federal, State, and municipal.

These, Mr. Speaker, are the material differences between the House committee bill and the Senate bill, and therefore I am entirely correct in saying that there is no difference in principle between this Senate bill and that which the House has already refused to pass, and for which, upon my motion, it substituted a bill extending to the Philippine Islands, which have now become a part of the territory of the United States, the money which is lawful in the United States.

I desire, Mr. Speaker, to call the attention of the House briefly to one other matter. The only criticism which I have known to be directed against the House measure, that adopted in this House and sent to the Senate, was that it would disturb and disarrange business conditions in the islands. I am free to admit that any currency bill which Congress might pass providing a new system of currency for those islands would, for the time being, have the effect of disturbing to some extent business conditions there.

But I can not see how the measure which has passed this House could possibly have as disastrous an effect as the measure which is now before us. As a matter of fact, the American money which the House bill declares shall be legal tender in the Philippine Islands is already in those islands. It is, moreover, to-day the unit of value in the Philippine Islands, made so by decree of the Philippine government, and the last proclamation which I have seen relating to the subject declares that \$1 in American money shall be equal to \$2.66 in Philippine silver, or, rather, that 100 American dollars shall be exchangeable for 266 of the Mexican or Spanish pesos, now the silver currency of the islands.

So that the American money is already in the Philippines and is actually the unit of value in the Philippine Islands. Why not, then, declare it to be also the legal-tender money of the islands? Every monetary transaction in those islands to-day is measured by our standard; and if American money is made legal tender, as it is to-day the standard of value there, then every contract made by the Philippine government will be made payable in the currency of the United States, and that government can not then possibly lose a dollar by reason of any fluctuation in the rate of exchange.

Mr. Speaker, I am one of those who have always believed that if we are going to hold these islands, the money as well as the Constitution of the United States should follow our flag there. I have never believed, however, that we should hold them permanently. I have never believed that we could forcibly set up a carpetbag government there and bring to the Filipinos peace, good order, and contentment. Thus far the experiment has proven a dismal and an expensive failure. It has resulted in

nothing but colossal expenditure of money and humiliation to the American people, and we have but recently been called upon to contribute millions of American money to relieve the distress and suffering of the Philippine people—to furnish them the food with which to avert impending starvation.

I find, Mr. Speaker, in the Washington Post of this morning an admirable article upon this subject—an article which I think truthfully sets forth the conditions in the Philippine Islands—and although I do not wholly accept its conclusions I do believe it describes with absolute faithfulness the conditions which to-day exist in those islands. I ask the Clerk to read, as part of my remarks, the editorial which I have marked and which I now send to the Clerk's desk.

The Clerk read as follows:

BE FRANK ABOUT THE PHILIPPINES!

Yesterday's press reports from Manila did not surprise anyone who is well informed as to the true situation in the Philippines. It was, in fact, expected. Officially, the fighting Filipinos are "ladrones" and our soldiers are "constabulary." The truth is that the so-called "ladrones" are not footpads and highwaymen, nor do the alleged "constabulary" represent anything which in this or any other country would be regarded as a civil government. It is high time to brush away the humbug and the nonsense.

During the past four years, at frequent but irregular intervals, we have been told that organized resistance has disappeared; that nothing is left of the "insurrection" save a "few scattering bands of criminals;" that the people have received our benign rule with affection and gratitude; that we have nothing now to consider excepting the miserable, starving fugitives who lurk in the interior fastnesses, and who need not count in our philosophy. Time and time again we have received the very highest assurance that the Philippines, especially Luzon, are at peace, and we have been asked to contemplate the beneficent régime of the Commission, with its complicated machinery of justice, its enlightened and far-reaching system of education, and its softening and uplifting influence upon the benighted natives. But we have never seen one of these halcyon proclamations that was not effectually contradicted within a week, nor do we believe there has been a time during the past four years when a white man's life was safe a few miles beyond the walls of Manila. More than that, we doubt whether any civil official or any private individual known to be an American could ride or walk along a side street after midnight in the capital itself without risk of his life.

Why not be frank? Why persist in maintaining this wantonly expensive travesty of civil government in the Philippines when, as a matter of fact, neither the commissioners themselves nor any one of their thousands of subordinates and stipendiaries could live five minutes without the protection of the Army? When President Grant, in 1877, withdrew his bayonets and cannon, every carpetbag government in the South collapsed as if by magic. The same thing would happen to-day in the Philippines were the War Department to recall our military forces from the islands. Even as things are, the effort to maintain this farce serves only to dilute the one effective agency of civilization we have at our disposal there. The Army is employed to bolster up the poor semblance of a civil government, and its greatest usefulness is destroyed by the arrangement which subordinates it to a sham.

Why not be frank? Why not put our best foot foremost and cut short a pretense which is both costly and ridiculous?

Mr. JONES of Virginia. Mr. Speaker, as I have said, I am not willing to accept the conclusions reached by the editorial writer of the Post. I do not, for instance, want to see Gen. Jacob Smith sent back to the Philippine Islands and placed in command there. I do not want to see the atrocities which were perpetrated under his cruel and shameless orders in the island of Samar repeated in the island of Luzon. But I do maintain that the statements of fact contained in that article are absolutely true and correct; that they are under rather than over stated, and every intelligent man who has read that editorial in to-day's Post and is at all familiar with the situation in those islands, must admit that it correctly portrays the humiliating, and, to us, most discreditable conditions there.

Mr. Speaker, in conclusion, permit me again to say that the House of Representatives one month ago yesterday, I believe, by the largest recorded vote that we have had during this whole session of Congress, and after full debate and full consideration, voted down a bill which in all essential particulars and in principle is precisely the measure we are now asked to enact into law.

Am I not, then, justified in asking you to reject this Senate bill and to insist upon the passage of that which, after the maturest consideration and full debate, you declared by your votes was a better measure? I appeal to those Republicans who four weeks ago had the courage of their convictions, who then had the courage to withstand the appeals of their party leaders, to stand up once more like men and to vote according to their honest convictions and their best judgment. I appeal to them to be consistent as well as courageous. You know that the measure which was adopted in this House by the aid of your votes has never been given a moment's consideration in the Senate. You have repudiated the principle embodied in this Senate bill. Are you prepared now to accept at the hands of another branch of Congress that which you rejected with emphasis in this branch?

I think I can speak for those upon this side of the aisle who voted for the measure which passed this House, when I affirm that they will to a man vote for it again. I hope the result of the roll call which will be had will demonstrate that the Republicans who stood shoulder to shoulder with them a month ago have not seen "new light" since that time, and that they will not now reverse their action, and give their support to a measure which they earnestly and indignantly repudiated upon that occasion. [Loud applause.]

Mr. Speaker, I reserve the rest of my time. How much have I remaining?

The SPEAKER pro tempore. Thirty-two minutes.

Mr. JONES of Virginia. I hope that the chairman of the committee will use some of his time now.

The SPEAKER pro tempore. The gentleman from Wisconsin has twenty-four minutes remaining.

Mr. COOPER of Wisconsin. I should like the gentleman from Virginia to use some more of his time.

Mr. JONES of Virginia. I yield ten minutes to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Speaker, my colleague from Virginia [Mr. JONES] has so fully covered this question that I scarcely know what to say in addition to what has already been said. The only thing that I would desire to impress upon the House is the question upon which we are to vote. Some two or three weeks ago we voted to substitute United States currency for the currency that now exists in the Philippine Islands. We so voted by a fair majority in this House. That bill was sent to the Senate, and, so far as I know, was never considered or even recognized there, except the caption of the bill. Under the conditions that were prevailing over there at that time no debate could be had upon this subject. So the expressed will of the House has never been before the Senate of the United States. The committee represented by gentlemen on the other side have simply taken up the majority bill, which you on this side of the House refused to accept and voted down, and have offered, with a few amendments, and in the form of a substitute, the bill which you rejected.

We are here to-day asking you to stand by your vote as you voted upon this matter when it was originally brought before the House. That is what we want to impress upon the House. That is what we want you to understand—that we are asking you to vote down this measure and insist upon the bill that we passed four weeks ago.

Now, by some process of parliamentary law which I do not understand, as I freely admit, they have brought this bill back here. It has not gone into conference, and the will of the House as expressed here has not been expressed anywhere except here. It has not been impressed upon the other body. It has not been presented to them by anybody at all. If you accept the substitute, or, in other words, the bill that is presented here to-day by the majority of this House, that concludes the whole thing. If you vote that down, then we can go into a committee of conference and present the bill which we passed four weeks ago.

Now, that is the issue we have before us. The gentleman has sent to the Speaker's desk an editorial from the Post—"Be frank about the Philippines." I think it is about time that we were frank about them, and I want to say now in this connection that I do not believe that any constabulary or police force of the Philippines or any troops of the Philippines that the United States are paying to-day are loyal to this Government or ever will be until they are subdued emphatically and absolutely; and if it is the purpose of this Government to retain these islands, it is our duty to send Federal troops, American soldiers, down there, men who will subdue these brigands and these outlaws and wipe them off the face of the earth and establish a civil government in fact and not in name. If it is the purpose of the Government, as I say, to accept this situation, then we ought to do it. I am the only man on this side of the House, and, with one or two exceptions, on that side of the House, who opposed this idea of our Government becoming involved in war with Spain.

I did not want to go into war; I did not want to attend to somebody else's business. I thought we had enough of our own. I think my judgment has been fully vindicated by this Philippine business. I do not believe that there is a man in Congress to-day, on either side of either body, the Senate or the House, who would to-day, if we had not already acquired these islands, vote to acquire them now and add them to our Government. But we have done so; we have gone on and we have annexed them. They are part of our territory; and now, if we are to maintain our honor and integrity in these islands, we have to do it by United States troops, and not rely upon those people. You may rest assured of that fact. I am not a prophet, but I believe I have got common sense, and I further believe that if we had our cavalry down there—enough of them—these brigands could be subdued.

It is said by some people in this country that these people are not brigands, but that is said by the people who are fighting for the liberty of the Philippine Islands. Those people there have fought for this liberty for three hundred years, and what right have we to anticipate that they will cease to do so whenever they have an opportunity? If we are to do business—in other words, if we are to annex these people, if we are to have a civilized government and a peaceful government—they must be subdued, and this idea of presenting the fact to the country that these people have already been pacified and that peace prevails is ridiculous.

Every telegram that comes to this country shows to the contrary, shows that that is not true, and I say to you people on the other side if you propose to carry out your policy you have got to do it by American troops, and the sooner you do it the better it will be for the United States Government. [Applause.]

I think that is all I desire to say, and I yield back the balance of my time.

Mr. HILL. Mr. Chairman, I ask unanimous consent that I may be given ten minutes, regardless of any division of time on the Democratic or Republican side.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent that the order heretofore made may be so modified that he be allowed to proceed for ten minutes. Is there objection?

There was no objection.

Mr. HILL. Mr. Speaker, I did not intend to say a single word in regard to this measure to-day. If the chairman of the Committee on Insular Affairs had not devoted most of his time to an attack upon me and a reply to arguments I made a month ago, I should not have said a word. I hoped that he would explain the bill, so that the Republicans who voted in favor of American money the last time this matter was before the House would understand what changes had been made in the bill as now presented to them for their consideration.

I propose to take three or four minutes in making such explanations. If those who had the bill in their hands will refer to it, I will endeavor to show the difference between the measure now before us and the measure on which we voted, or against which some of us voted, a month ago. In the first place, the legal-tender silver peso, which is authorized by this act, is not made a full, unlimited legal tender, as was the silver peso of the House bill, but there is a clause added in the Senate measure by which it is made a full legal tender, "except where otherwise specifically provided in the contract." That is one change, and a very important one. Again, the amount of certificates which can be used for the maintenance of parity between the two coins is increased from \$5,000,000 to \$10,000,000, a very important change, as gentlemen will see in a coinage of somewhere near 40,000,000 pesos—in other words, multiplying by 100 per cent the instrumentalities for maintaining parity. In the third place, the interest upon those certificates of indebtedness is fixed definitely at 4 per cent, whereas, under the House bill it provided for any interest considered reasonable. These are the principal changes that have been made in the bill. They are very important ones.

Now, why do I not continue to oppose it? And I am talking to those Republicans with whom I had the honor to vote, according to our conscientious convictions. Why do I not continue to oppose it? I should continue to oppose it if it was six weeks earlier in the session. But it seems to me that we have come to the point where it is either temporary purgatory for the Philippine Islands or eternal damnation for the United States. Under those circumstances I prefer to let the Philippine Islands suffer temporarily rather than to have the United States' coinage system forever destroyed. For there are two propositions that come to us, gentlemen. One is a 32 to 1 coinage in the Philippine Islands, and accompanied with it a proposition to demoralize and debauch ultimately the coinage system of the United States. For, if we are confronted to-day by a solid vote of the United States Senate in favor of a proposition to begin an international new bimetallic ratio of 32 to 1, what would be the effect of that proposition if not killed now? But coming up to us in another year, in the face of a presidential election, fortified and strengthened by a favorable report of such a commission, to me the coinage that we shall enact for the Philippine Islands sinks into absolute insignificance compared with the importance of this measure against which this committee has unanimously reported. That is my reason.

And it was equally unkind for the chairman of this committee, knowing how I have been hampered in this matter, to attack me as he has this morning; as it was for the chairman of the Senatorial committee, when this matter was up last week in the Senate, to attempt to read the members of this House a lecture as to the propriety of their action in voting their conscientious convictions, as they saw fit.

Now, that is the situation. That is the position in which we are. We have got to take this measure as it is, as sent to us by the Senate, or we have got to strike out this international commission and let the other go. Now, what would I do with the other? If I had the opportunity I would amend it. How? I will tell you how. It has been said over and over and over again that this is the proposition recommended by Mr. Peabody. Not at all. Mr. Peabody is a gold-standard sound-money man, and his proposition looks to the maintenance of a gold reserve and the absolute exchangeability of gold for silver by the Philippine treasury. That is not here, and it ought to be here. You and I know they can not maintain parity there without it. It is not here.

Another proposition I would have amended is this: It will take a year and a half or two years to put this plan into effect. They have got to establish a mint there, they have got to get a large number of officials and mechanics over there. How long is it going to take to do it? Furthermore, they would be hampered under the terms of this bill in buying silver bullion. They buy on a rising market 75,000,000 pesos, or whatever they get. And then, afterwards, in throwing their Mexican pesos and Spanish coin on the market they sell on a falling market and the insular government will suffer both ways. Now, I would put in there a proposition that the United States Government should be permitted to take the bullion in the Treasury, coin that in our mints where we have abundant capacity to do it, send it over there and take up the other coin, just as we did in Porto Rico and Hawaii, and bring the other coin back here at its gold bullion value and resubstitute it, the Philippine government paying all the expenses of the transaction, and cleaning it all up in six months. But I can not get an opportunity to offer these amendments. I have not the slightest idea that I can, for the previous question will be demanded.

But, gentlemen, under the circumstances, it seems to me that every man on this floor, with these two propositions pending before him, must use his own individual judgment as to what in the end is the best, not for the Philippine Islands, but for our own people in the United States. That is the question that comes to me. That is the question on which I am taking this position to-day. I do not care what the consequences may be in regard to the Philippine Islands. I stand here first, last, and all the time against any renewal of any attempt to go through the miserable farce that we played from 1892 up to 1898 on the silver question. I believe in killing this snake while he is young and not waiting until he is full grown and have another tussle with him as we did in 1896. For that reason I reserve my own freedom of individual action on this question to-day.

Mr. COOPER of Wisconsin. I yield ten minutes to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. CRUMPACKER. Mr. Speaker, I like very much the tone of the speech just made by the gentleman from Connecticut [Mr. HILL]. It contains the spirit that ought to actuate all members of the House in their attempt to get together upon important items of legislation.

The science of politics is not an exact science. If it were we might resort to approved formulæ for various measures and have them exactly right in every respect. But politics is decidedly speculative, and in view of its speculative character most measures must be the result of concession and compromise. If no member of the House voted for a bill of any character that did not meet his views in all respects there would be absolutely no legislation, and popular government would have to be abandoned.

Now, I confess, Mr. Speaker, that there is a great deal of force in the argument that the American coinage as it exists in this country to-day ought to be extended to the Philippine Islands. There is not only much force in the argument, but that policy has been the historical policy of the country. I was imbued most strongly with the same view when the Committee on Insular Affairs entered upon the investigation of this important question, and I was one of the very last of the members of that committee to surrender my views. But the testimony of every individual who had given the question special study and investigation, every man charged with the duty of looking into it, was that it would be highly inexpedient to extend American currency into the archipelago now, for the reasons that have been explained to the House by the chairman of the committee in the debate to-day and in the debate when the bill was before the House two or three weeks ago. Following the judgment of these men, I came to the conclusion that it was the solemn duty of the country to establish the gold standard in the archipelago and to make such coins as would accommodate themselves to the demands of the business of the islands and that would be in conformity with the customs and traditions of the people there. Therefore, Mr. Speaker, I am earnestly in favor of the pending measure.

Mr. JONES of Virginia. May I ask the gentleman a question? Mr. CRUMPACKER. Yes.

Mr. JONES of Virginia. May I ask the gentleman why it is he believes in the unit of value. The House bill which the Committee on Insular Affairs reported originally provided that the American gold dollar should be the unit of value. The Senate bill provides for a gold peso, with half the gold that is in the American dollar, which shall be the unit of value. Now, why is it that the Senate and the committee of which the gentleman is a member provides a coin which is to be the unit of value, but does not provide for the coinage of a single one, nor provide that if they are coined they shall be legal tender, but on the contrary excludes from them the legal-tender quality?

Mr. CRUMPACKER. The gentleman will be kind enough to favor me with an opportunity to answer. The unit of value fixed

by the Senate bill is a gold peso. The silver pesos, if they are to be redeemed at all, shall be redeemed in American gold. The House bill, as it was originally reported by the committee, provided that the American gold dollar should be the standard of value in the islands. The Senate bill now under consideration provides that a peso containing 12.9 grains of gold—just half as much as the American gold dollar—shall be the standard unit of value. It provides for no coinage of gold pesos. The standard of value is an abstraction. It is necessary in establishing a currency system in any country that some standard be fixed for the measurement of values.

The gentleman must bear in mind that the money standard of value does not need to be actually coined and pass current. There are three prime functions of money. One is as a measure of value, another a means of exchange, and the other to discharge obligations. We are here creating a new coin that is simply to perform the first function, that of measuring the values; and as it is not to be coined it can not perform the other two functions at all. It is not necessary that it should perform them. The bill defines the relation of the silver peso with the fixed unit of value and fixes the relations between the silver peso and American gold coin. The new silver peso and American gold perform the other two functions of money. The abstract peso is a fiction and can not be part of the currency of the islands, though it is the standard by which the currency is measured.

Mr. JONES of Virginia. Then it ought to be coined.

Mr. CRUMPACKER. It was adopted for the purpose of having as complete a system of money there in the local nomenclature as possible, having a standard unit of value in the peso, and having the local current coin in pesos, so that the silver and gold peso would mean in trade and literature the same thing.

Mr. PARKER. We do not coin gold dollars.

Mr. CRUMPACKER. As the gentleman from New Jersey has truly suggested, we do not coin any gold dollars in this country.

Mr. JONES of Virginia. Yes; we have coined them.

Mr. CRUMPACKER. We have no gold dollars in this country.

Mr. JONES of Virginia. Ought not we to have at least one of these gold pesos coined?

Mr. CRUMPACKER. Oh, no; I think not. The law does not require, and common sense does not demand, that the Government shall do so foolish a thing as to organize a mint and prepare equipment to coin one single gold peso as a standard of value, as an object lesson. It is an abstraction pure and simple, and men who understand the science of currency know that it is not essential that there be a single gold peso coined. That is no argument whatever against the validity or wisdom of the provision contained in the bill.

Mr. JONES of Virginia. I understand the gentleman's position to be this: That the unit of value need only be an abstraction.

Mr. CRUMPACKER. That is all; all a unit of value need to be is an abstraction. Value itself is an abstraction; it is not a tangible thing.

Now, Mr. Speaker, the bill under consideration, aside from its departure from the bill reported by the Insular Committee to the House weeks ago in relation to the standard of value, contains important changes, some of which were suggested by the gentleman from Connecticut, and I think they are improvements over the original measure. Taken as a whole, the bill is as good a one, I think, as is possible under the existing circumstances to agree upon. We all admit the imperative necessity of enacting some legislation along this line for the relief of the situation in the archipelago, and while we repine over definitions and haggle over our favorite theories in relation to coinage, the condition of destitution and distress in the islands continues to grow more aggravated and more direful every day in the week.

It is the solemn duty of the Congress to get together on the best measure it can agree upon, and I believe that I can with propriety express the judgment that the pending bill is perhaps the best expression that can be made at this time, in view of the wide conflict of views on the question. I reassert that I have much sympathy for the gentlemen who entertain different views from those expressed in this measure, but a majority of the men on this side of the House, a majority of the men in the other branch of the Congress, a majority of the members of the Committee on Insular Affairs have reported and recommended this measure, and I think it ought to be accepted. I believe it is a fairly good measure, and in the future, if it is found to be weak in any respect, it can be remedied by subsequent legislation. I believe that members of the House ought to stand together in support of this bill, not that it is perfect, but because it is the best measure that can be gotten under existing conditions, and that it will afford great relief to the people of the archipelago.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I am constitutionally averse to thrashing over old straw, but I can not resist the temptation to call the attention of the House to the curious

if not absurd legislative situation which confronts us. We are threatened now, at any rate, with the passage of a bill that has never received the vote of either House. Some time since the Senate passed a bill for the coinage in the Philippine Islands which was substantially a bill for the continuance and stabilization of the silver standard there. After that the Committee on Insular Affairs brought into the House of Representatives this very identical bill upon which we are voting this morning, a piebald, nondescript sort of a bill, with not a single thread of consistency running along in any one principle from the beginning to the end of it. It is neither fish, flesh, nor fowl, and could not be justified by any fundamental principle of any sort.

The main reason given by gentlemen who are advocating this bill against the idea of putting American coinage into the Philippine Islands is that doing that would change the coinage system there, requiring the people to become accustomed to an entirely new system, disarrange business, and perhaps disrupt some business. And yet they want to enact a bill introducing a coinage system which will be just as new to these people, which will require just as much trouble to become accustomed to it, and when they are accustomed to it will be unlike any coinage system of any place on earth, especially unlike the coinage system of the people of the United States, whose flag floats over the territory where the system is to be in existence.

Mr. Speaker, the question for the House of Representatives to determine is whether it will be bunkoed, whether it will be bulldozed, whether it will stultify itself, or whether, on the other hand, it will assert that it is really and practically a part of the legislative power of the Federal Government. Some time ago the House had this very bill up, and it went down before the onslaught of the opposition—the nonpartisan opposition—of men appealing to reason alone, on the fundamental idea that Federal functions ought to be exercised uniformly throughout the United States; also upon the ground that, if we had to make a change there, disarranging business and disturbing customs, it would be better to make at once the whole change that we must finally make rather than to make two different changes before arriving at the final stage, and thereby causing two disruptions.

And then what happened? The bill which the House adopted went to another body, not a thousand miles from here, whose very name I am forbidden by parliamentary law to mention. And what happened when it got to that body? Every fundamental principle that had been asserted and saved by the House of Representatives, after a well-reasoned and well-argued fight, was set aside for "a mess of pottage"—by whom or why or how it is not necessary here to state, nor is it necessary to state the nature of the pottage nor the name of him or them to whom it was pretended to be offered. And now we are faced with a bill that neither House indorses; that a majority of neither House believes in; that this House has voted down in so many words, and that the Senate once substantially voted down by taking the bill which the Senate formerly agreed to as a substitute, both in the committee and on the floor of the Senate.

And we are begged now to pass this piebald, nondescript, spotted thing—inconsistent with itself from beginning to end, opposed to the judgment of the House, opposed to the judgment of the Senate, neither the silver standard of the Orient nor the gold standard of the Occident—and we must do this because, forsooth, some financial "expert" has said that it is a "mighty good thing"; that it is a beautiful structure; that it is a rare bird, financially, the like of which was never seen before; that all its proportions are symmetrically and fearfully and wonderfully made. It will be unimitated by anybody else and is unprecedented in the financial world, but with all that is a beautiful structure upon the line of combining in some way or other (possessing at least the interesting characteristic of novelty) a non-legal-tender gold standard with a legal-tender silver circulation at a fixed ratio.

The question is whether the House of Representatives proposes to be substantially and really and genuinely a part of the legislative body of this country or not. That is the question with which we are faced to-day. Are we going to stultify ourselves? Is this side going to do it? Are gentlemen on the other side who voted for the bill which was passed here a month ago and against this bill going to stultify themselves upon the miserable plea that if they do not do this they can not do anything? Why can they not do something? If gentlemen who are contending so strenuously for the introduction of a right monetary system into the Philippine Islands believe that our own monetary system is the right system, then why make two bites at this cherry? Why not do the work at once and be done with it? You can do it if you want to do it. Why enact a law voted down by both Houses? That is all there is in this discussion.

Mr. Speaker, I thank the gentleman from Virginia [Mr. JONES] for the time he has yielded me.

Mr. JONES of Virginia. I now yield five minutes to the gentleman from Massachusetts [Mr. McCALL].

Mr. McCALL. Mr. Speaker, I am a good deal influenced by the statements of the gentleman from Wisconsin [Mr. COOPER] and the gentleman from Connecticut [Mr. HILL], who represented the opposite side of this question when it was before the House formerly, that the practical result of getting into a controversy with the Senate at this stage of the session would be no legislation, for while I believe that the measure which the House sent to the Senate was a better measure than that the Senate returns to the House, yet I think that the Senate measure will bring a great improvement over existing conditions.

Mr. Speaker, I for one should prefer that the people of the Philippine Islands should decide for themselves what sort of money they want for themselves, even if they should decide in favor of wampum, or beads, or shells. I should rather have them suited with the money that they use than to try to impose upon them some other money that I think they ought to have.

But, unfortunately, we can not at present leave the question for them to decide. They had a legislature at one time, which Mr. John Barrett said would compare favorably with the legislature of Japan. But that legislature we have forcibly broken up. We have dispersed it at the point of the bayonet. We have killed or imprisoned their leaders. And the only legislation that that country can have must come from the Congress of the United States. Under these circumstances, I feel as if it were my duty to contribute whatever of judgment I have for their benefit. I do not think that in dealing with a question of this kind, for a people whom we have put in that condition, I am justified in considering the glory of the Republican party or even of the United States. I feel that in such a case I should look with an eye single to the interests of the people concerned.

Now, I wish to say a word upon a suggestion which was made from an authoritative source in another body—that the bill which passed the House of Representatives some weeks ago did not pass by a "real majority," because the majority was not all made up of one party, but was composed of Democrats and 28 Republicans. Now, I am always ready to seek light and leading and to be reproved for my failings; but I should like to know how it came to pass that that particular bill was a party measure. Had there been any caucus upon it? Had there been any party platform with reference to it? And if it became a party measure by reason of the fact that it was reported by a committee, then, upon that theory, does not every detail of legislation that comes from a committee become a party measure?

Take the subject-matter of this very bill we are dealing with. Last summer the committee of one House of Congress reported a proposition in favor of the silver standard for the Philippine Islands. This very winter that same committee reports a gold standard for the Philippine Islands. If one of these propositions was party policy, the other became also a party measure. There was that change from last summer to this winter; and upon that theory of party government it becomes necessary for the representatives of the people each day to go out and consult the weather vane and possibly to box the compass and get in line with somebody in order to be good party men. Now, Mr. Speaker, if government by party means that party responsibility is to extend to every detail of legislation, then it seems to me that we shall have inevitably that government of groups which is so very much deplored. Great masses of men can only unite upon great principles. They can not unite upon mere unimportant details, and it would be an abuse and a perversion of the idea of party that all sorts of measures that come up here and are reported by committees should be considered party measures.

Now, with reference to this particular bill, it seems to me an important point is whether the gold standard which was established by the bill which the House sent to the Senate, and is in terms established by the bill that the Senate returned here, can be better upheld and maintained by the House bill or by the Senate bill. For my part, I would rather the burdens of maintaining the gold standard should rest upon the shoulders of a powerful people like ourselves than to transmit that burden, as we do by this Senate bill, to the people of the Philippine Islands, to a weak government, which may be entirely unequal to performing the task.

[Here the hammer fell.]

Mr. JONES of Virginia. Mr. Speaker, I yield six minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS of Illinois. Mr. Speaker, I desire to call the attention of the House to what I consider the weakest spot in the bill now under consideration, and that is the provision to maintain the parity of the two pesos in the Philippine Islands. This bill provides for the coinage of 75,000,000 silver pesos, which shall be maintained at a parity with a gold unit, whose coinage is not provided for. In order to maintain that parity the bill pro-

vides that the Philippine government may issue 20,000,000 pesos of gold certificates for the purpose of buying gold with which to maintain this parity—that is, \$10,000,000 worth of gold certificates.

The bill provides that three millions of these ten millions of gold reserve may be used to purchase silver bullion with which to coin the silver pesos, leaving seven millions of gold to maintain the parity of 75,000,000 pesos in the islands. In other words, 1 gold peso in the island must maintain the parity of over 7 silver pesos. That would be a considerable burden for even a country like ours, but it is much worse when you come to impose a burden of that character upon a little, poor, poverty-stricken country like the Philippine Islands, a country without any gold, a country which uses no gold, a country without any commerce by which it can secure gold—every gold dollar that it gets to maintain its parity it must purchase by putting its people in debt. I say it is unreasonable for any man who believes in sound money to stand here and contend that this is a sufficient provision to maintain the parity of gold and silver in the Philippine Islands.

Seventy-five million pesos are to be issued in silver, and the only way to keep them at par—and it must be remembered that there is considerable fiat money in the silver peso in the Philippine Islands—is with seven millions of gold dollars purchased by the people of those islands. Suppose it failed. What is the result? Why, you have their silver pesos at a discount, and you have the same conditions that you have there now. I say that as long as those islands remain a part of the territory of the United States they are entitled to the same kind of money that we have in the United States. We have no more right to impose upon those poor people the burden of maintaining the soundness of their currency than we have to impose that burden upon any other Territory of the United States. My position in this House is well known—that I am opposed to holding those islands. I want to see them made free and independent, but while they are a part of the United States I want to see the United States treat them fairly and honorably. I believe now under our Constitution that the American money is already a legal tender in the Philippine Islands.

I know that we can supply them with that much more quickly than we can supply them with money under this bill, for, as has been said, it would take some time to establish the machinery with which to furnish them this silver money, and when they have it the parity will exist like the gold peso of the gentleman from Indiana—only in fiction and name. Why, they provide in this bill that a party in the Philippine Islands may provide in his contract that the debt shall be paid in so many pesos of gold, and yet no provision whatever is made for the coinage or supply of that kind of money. In what shall such contract be paid? If the contract provides that it shall be paid in so many gold pesos, where is the debtor to get the gold pesos? It makes no difference how much gold may be discovered in the Philippine Islands, there is no provision in this bill that it may be coined into their money in order to help maintain the parity between the two metals. So I say, Mr. Speaker, that in my judgment this is a very fatal objection to this bill. One other objection to it, which was not in the bill originally reported to the House, is this:

THE SPEAKER. The time of the gentleman has expired.

Mr. JONES of Virginia. Mr. Speaker, I yield five minutes more.

Mr. WILLIAMS of Illinois. This bill provides that these certificates of indebtedness issued by the Philippine government to purchase this gold shall not be subject to taxation anywhere in the United States. Mr. Speaker, I insist that if we have the power to exempt those bonds from taxation in our States and in our municipalities, it would not be wise, it would not be just, to put such a provision in this bill. It is entirely different from exempting the bonds of this Government from such taxation. The bonds of the American Government are bonds that must be paid by all of the people of the United States, and it is supposed that when they are exempted from this taxation it enhances their value, and the higher they sell the more benefit will come to the whole people of the country. But this will not increase the value or sale of those bonds in the Philippine Islands, because the American investor will be brought into competition with the investor of Europe—the investor from England, France, and Germany—and they will pay no more. We can not exempt them from taxation in such foreign countries, and by exempting them from taxation in the United States we give the American investor this advantage at a corresponding disadvantage to our own taxpayers.

I say it would not enable them to sell their bonds at any higher price. The law already provides that the interest shall not exceed 4 per cent. It is not likely that they will be issued at a much lower rate than that, and there will be no trouble in selling those bonds at par at that rate of interest. Yet if an American

wishes to invest his money in the bonds of those islands, an American living in my town or in yours, and transfer his property that is now taxable into these bonds, drawing 4 per cent interest annually, he can do so and escape all local taxation to that extent. I say, Mr. Speaker, even if we have the power, it is unfair and it is unjust to put such a provision in this bill. No more have we the right to exempt such bonds from municipal, county, and State taxation than we have to exempt the bonds of any other Territory in the United States from such taxation.

Now, Mr. Speaker, as I said a moment ago, this bill provides—and I desire to call the attention of the House to that for one moment and then I am through—that the gold peso shall be the unit of value, and yet it makes no provision anywhere for the coinage of any such peso, or any multiple thereof. I do not know whether that is omitted by mistake or not. I would infer from reading another provision of this bill that the framers of it thought that such coinage was provided for; for when we come to read the section providing for the maintenance of the parity of these metals, it says:

To maintain such parity between the silver Philippine pesos and the gold pesos herein provided for.

So when they were preparing that provision they evidently supposed that they were providing for the coinage of a gold peso. They not only fail to provide for the coinage of the gold peso or any multiple thereof but fail to make it a legal tender, after providing it shall be the standard of value. It seems to me that we should extend our American money to those islands, and that the passage of a bill like this can not very much improve their present condition. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. COOPER of Wisconsin. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Wisconsin has fourteen minutes remaining and the gentleman from Virginia has two minutes remaining.

Mr. COOPER of Wisconsin. I wish the gentleman from Virginia [Mr. JONES] would exhaust his time.

Mr. JONES of Virginia. Mr. Speaker, I do not believe there is anybody on this side who wants to occupy the two minutes. So the debate can be considered as closed so far as this side is concerned.

The SPEAKER. The gentleman from Virginia surrenders the floor. The gentleman from Wisconsin is recognized.

Mr. COOPER of Wisconsin. I yield four minutes to the gentleman from New Jersey [Mr. FOWLER.]

Mr. FOWLER. Mr. Speaker, since on the occasion of the consideration of the House bill I voted for the establishment of American money in the Philippines, I deem it my duty to state why I shall support this bill now. All legislation is a compromise. All bills reported by committees are compromises, and no man should be so self-willed and opinionated that he would not concede and yield so long as such concession or such yielding does not involve a principle.

I am convinced that something ought to be done in the Philippine Islands. I am in the position, so to speak, of a physician who, coming to attend a patient who is dangerously ill and not having at hand the thing that he knows is a complete remedy for the trouble, would temporize by giving the patient the best thing at hand. I am convinced that the bill now before this House is the only thing that can become a law at this session of Congress. What will be the result if this bill passes? It will be the immediate establishment of the gold standard there.

I shall not attempt to point out how I would amend this bill. It is sufficient for me that this is the best thing that can be done now, and does not involve the violation of any principle. Therefore it is my duty as a man, my duty as a legislator, to vote for this measure. When I voted to establish American money in the Philippines it was not because I thought the American system of finance and currency was perfect. God knows that. It is in my judgment very far from perfect. I believe that American money there would be better for those islands than the money provided in the House bill, which was practically the same as this measure; but, notwithstanding I believe that, yet recognizing the fact that it can not be planted there, I am bound as a man and a legislator to vote for this measure under the circumstances. [Applause.] Now, what will be the probable course of events? With the gold standard once established we can go on in the future and supplement the law that we pass to-day. Let us hope that at no very distant day it may be better than the system we ourselves have to-day.

[Here the hammer fell.]

Mr. COOPER of Wisconsin. I yield two minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER. Mr. Speaker, even in two minutes I believe that I can tell the House something of the reason why every

thinking man in the Philippines who has studied the conditions there declares that the bill as it passed the House would bring untold disaster on those islands. The effect of that bill would be to deprive them immediately of the only currency that they have. Their money now is the Mexican dollar or peso of 416 grains. Our dollar contains less silver, 412½ grains. Their fractional currency contains like amounts of silver as the peso without taking off any percentage. These are the only coins that they use. The bill as passed by the House declares that this money shall hereafter be receivable only at its bullion value, and be made merchandise at a price that changes and declines from day to day. It demonetizes their only currency, and orders this impoverished people to buy American money or go without.

The committee bill, favored by the Senate and by all close students of this problem, proposes a different plan. It provides for the gradual recoinage of these Mexican dollars or pesos into a limited coinage of Philippine pesos of the same weight and fineness, which shall, like our silver coins, be really redeemable in gold or receivable instead of gold at a fixed ratio. This new silver coinage will be less a fiat money than ours, and have more bullion value, but, like ours, it will be redeemable in gold and to some extent a token or subsidiary coin also. But it will be the same coin in bullion value that they have had and can use. It is the same coin in other silver countries in the Orient, as, for instance, Japan, where precisely the same gold and silver coin is in use with nearly the same relative value. It can be used in silver-using countries as the Mexican peso could be used before.

I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. PARKER. Mr. Speaker, our silver coin could not be so used. It is grossly overvalued. It has not the weight of the Mexican peso. It is a little different in alloy and has not the same ring. It will not pass like that dollar in silver-using countries. It contains only 37½ cents' worth of silver, and yet is called a dollar. This Philippine coinage will be much honestier than ours. It will contain more than twice the per cent of bullion value. Its real intrinsic value will be 75 per cent of its face value instead of 37 per cent. But after all it will be a subsidiary coinage, limited in amount but redeemable as such, and at the same time it will be the coin that the people are used to taking, undebased, unclipped, and with a fairly close intrinsic value of its own.

But meanwhile there will be no sudden change, no sudden destruction of the whole currency of the island, no sudden lowering of prices by the change of the unit of value, no stoppage of business by the absolute dearth of money, no endeavor to make the peasant accept a 50-cent piece for a 416-grain peso of nearly two and one-fourth times its weight, and to make him sell his 416-grain dollar for 37½ cents of our token currency, or whatever price its bullion value may fall to.

The new Philippine currency will be better and not worse than ours. Its silver coinage, like ours, will be subsidiary; but it will contain nearly its face value in bullion. It will not be, like ours, a mere token. It will not be so likely to be counterfeited. It will be the standard coin of silver countries, and available for export thither. It will be the coin they are used to, and which is needed where credit does not exist, and the wages of a few cents a day must be paid in a money that everyone understands.

It would be cruelty unspeakable to deprive these island possessions of their only tool of trade by wiping out their only circulating medium. Yes, put them on a gold basis—the bill does that; make silver subsidiary—the bill does that; but in doing so the bill likewise has regard to present values and present coinage, refrains from demonetizing the present coin until new pieces are minted to take its place, and makes those new pieces substantially the same except that they bear the stamp of the United States and are receivable at a fixed relation to its gold coinage. It makes the gold dollar the unit of value, for it makes half that dollar the gold peso, and it makes the whole silver coinage subsidiary, but at an honest rate than ours, so that the old Mexican dollar or peso, with more silver than ours, is redeemable at 50 cents, or nearer its real bullion value.

I heartily support the committee as to this bill.

Mr. COOPER of Wisconsin. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has eight minutes remaining.

Mr. COOPER of Wisconsin. Mr. Speaker, I desire, in the spirit of all kindness, but yet in the spirit of all fairness, to say a word in reply to the gentleman from Connecticut [Mr. HILL]. He said that he should not have addressed the House upon this important measure at this time had it not been for an attack I made upon him. I made no attack upon him. There was no imputation of

wrongful motives—nothing unkind. I simply called attention to what the gentleman had said during the debate some weeks ago. It was said then that Governor Taft had in effect retracted his former opinion as to the unwisdom of introducing the American monetary system into the Philippine Islands.

In this connection, I to-day read from the RECORD what was said during that debate by the gentleman from Connecticut; and then in reply I simply read the cablegram from Manila, dated February 5, since the bill passed the House, from Governor Taft to the Secretary of War, saying that it would be a great mistake to introduce American money into the islands. There was no attack. If there be an attack in that, it is the facts that make it, not "the gentleman from Wisconsin." I was bound, as a friend of Governor Taft, to call the attention of the House to the wrong construction put upon his letter in the previous debate. In doing this I did only my duty—a duty which I would gladly perform even for the gentleman from Connecticut, if he were absent and I believed an interpretation which was not fair had been put on anything he had said, written, or done.

I furthermore called attention to another error of fact made by the gentleman from Connecticut in the previous debate, not by way of attack, not by way of wrongful imputation of motives, but simply as a statement of facts. During that debate the gentleman made this very important and effective statement: "There is in this city to-day a gentleman from Mexico who wants the American ratio established in Mexico, so as to make their money conform exactly with that of the United States." To-day I called the attention of the House to the fact that the gentleman who was here representing the Mexican Government did not ask to have the money of his country conform exactly to that of the United States, but that, on the contrary, his memorandum to the State Department indicated that his Government was looking with favor to the very plan embodied in the bill here pending, and which was also contained in the original bill reported from the Committee on Insular Affairs. That was my only attack on the gentleman from Connecticut.

Mr. Speaker, the gentleman from Mississippi, an able debater, a little while ago used this language:

We propose to establish here for the Philippine Islands a system unlike any other system which ever existed in the financial world.

A complete reply to this is contained in the testimony of the Director of the Mint.

Mr. WILLIAMS of Mississippi. Will the gentleman allow me a question?

Mr. COOPER of Wisconsin. Yes.

Mr. WILLIAMS of Mississippi. Does the gentleman know of any system on earth fixing gold as the standard of value that does not make that gold legal tender and that does not make anything but silver a legal tender?

Mr. COOPER of Wisconsin. The bill makes United States gold a legal tender.

Mr. WILLIAMS of Mississippi. But not the gold peso, for the coinage of which your bill provides, nor any multiple of that coin.

Mr. COOPER of Wisconsin. Gold coin is receivable in unlimited quantity; but the gold peso as provided for in this bill will not be coined—so diminutive a coin will not be made. I wish to answer specifically what the gentleman has said, and as I have only a minute I can not yield to the gentleman to ask me another question. The gentleman said the system we propose is unlike any other coinage system on earth. Here is what the Director of the Mint, speaking of this system, says:

It is exactly the system of India.

That is the Director of the Mint; that is the testimony of Mr. Hollander; that is the statement of Governor Wright; that is the testimony of Mr. Peabody; that is the testimony of Mr. Conant; that is the testimony of Professor Jenks, and of all other experts who have been before our committee.

The gentleman from Mississippi says, by way of criticism, that they will have no gold there. Now, the Director of the Mint declares that they have practically no gold in circulation in India. Secretary Moody, then a member of the Committee on Insular Affairs, questioned him thus: "Apparently, judging from that report—and that is the report of the Indian commission on this subject—the conversion has been extremely successful in India." Mr. Roberts answered, "Entirely so." Mr. Moody asked, "How would the magnitude of the task in the Philippines compare with that in India?" Mr. Roberts said, "It is a much greater task in India. The stock of rupees there is in the neighborhood of five hundred millions, and in the Philippines only about twenty millions, reckoning in our money." Mr. Moody said, "Certainly there can be no comparison to the disadvantage of the Philippines * * * owing the repugnance to any change which had to be overcome?" Mr. Roberts replied, "I see no obstacle in the Philippines that would not apply with even greater force in India."

So, instead of the proposed system being unprecedented, it is exactly the system used in India, where it was easily and successfully established. During the previous debate these facts were called to the attention of the gentleman from Mississippi, and yet, to-day he has iterated and reiterated them. Aaron Burr said, "Keep repeating a thing not true and most people will begin to believe it." Now, what the gentleman from Mississippi has said to-day is not any more true than it was the first time it was uttered. This is not an unprecedented system. In Note F to the report of the Secretary of War, 1900, the then Secretary of the Treasury, Lyman J. Gage, said: "This is analogous to the system now in vogue in the United States." It is also analogous to the system in vogue in France, where they have a limited coinage of silver receivable for public dues and for private debts, but not redeemable in gold except at the option of the Government.

This bill proposes a silver peso of limited coinage at the ratio of 2 to 1 of gold, to be received for all debts, public and private, for tariff duty, taxes, etc., but not under the law absolutely to be redeemed in gold.

Mr. WILLIAMS of Mississippi rose.

The SPEAKER. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the gentleman's time be extended one minute to answer a question.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the time of the gentleman from Wisconsin be extended one minute. Is there objection?

There was no objection.

Mr. WILLIAMS of Mississippi. The question I want to ask the gentleman is this: Does this bill anywhere provide that the gold peso, which is to be the standard of value in the Philippine Islands under this bill, or that any multiple of that peso, is a legal tender anywhere in the Philippine Islands? Does the gentleman know of any other system with that incongruity?

Mr. COOPER of Wisconsin. This bill says that the gold peso, consisting of 12.9 grains of gold, nine-tenths fine, shall be the unit of value.

Mr. WILLIAMS of Mississippi. Can not the gentleman answer my question categorically? It is capable of that form of answer.

Mr. COOPER of Wisconsin. I am answering it. As a matter of fact, it is not at all necessary that that exceedingly diminutive coin—

Mr. WILLIAMS of Mississippi. I ask if that or any multiple of the peso is a legal tender?

Mr. COOPER of Wisconsin. Yes; in this way.

Mr. WILLIAMS of Mississippi. Mr. Speaker—

The SPEAKER. The time of the gentleman from Wisconsin has again expired.

Mr. WILLIAMS of Mississippi. I ask that the gentleman have one minute more to answer that question.

The SPEAKER. The gentleman from Mississippi asks that the gentleman from Wisconsin have one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. A silver peso is to pass current at the rate of one to one with a gold peso at two to one with the gold dollar. It is expressly so provided in the bill.

Mr. WILLIAMS of Mississippi. I know the gentleman is seeking the same end that I am, the truth for the enlightenment of the members of the House. Is it not true in this very bill the bill goes on to say what shall be a legal tender, and omits from the list of tender the gold peso or any multiple of it?

Mr. COOPER of Wisconsin. Nobody pretends that a diminutive coin, the size of our 3-cent piece, is going to be coined into gold and pass current among these people.

Mr. WILLIAMS of Mississippi. True, but no gold multiple of it, however large, is made a legal tender.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following order:

Ordered, That the Secretary be directed to return to the House of Representatives the enrolled bill (S. 5718) providing for the sale of sites for manufacturing or individual plants in the Indian Territory, with the request that the House of Representatives vacate the action of the Speaker in signing the said enrolled bill, and return the same, and the message of the Senate agreeing to the amendment of the House to said bill, to the Senate.

The message also announced that the Senate had agreed to the report of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14050) to amend an act to regulate the height of buildings in the District of Columbia.

The message also announced that the Senate had passed with amendments bill of the following title in which the concurrence of the House of Representatives was requested:

H. R. 17088. An act to create a new division of the eastern

judicial district of Texas, and to provide for terms of court at Texarkana, Tex., and for a clerk for said court, and for other purposes.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 7307. An act to provide certain souvenir medallions for the benefit of the Thomas Jefferson Memorial Association of the United States.

The message also announced that the Senate had passed the following resolution:

Resolved, That the concurrent resolution from the House of Representatives (No. 92) in relation to the invitation extended to Congress by the National Commission of the Louisiana Purchase Exposition and by the Louisiana Purchase Exposition Company, etc., do pass with following amendments: Line 14, strike out "seven" and insert "ten." Line 14, strike out "eleven" and insert "fifteen."

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Senate concurrent resolution 70.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 1,500 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., Relating to Indian Affairs," 50 of which shall be for the use of the Senate Committee on Indian Affairs, 50 for the use of the House Committee on Indian Affairs, 100 for the use of the Senate, 400 for the House of Representatives, 100 for the Commissioner of Indian Affairs, and the remaining 800 shall be sold by the Superintendent of Documents.

The message also announced that the Senate had passed without amendment the following resolutions:

House concurrent resolution 69.

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in the form of eulogies 24,000 copies of the oration delivered by the Hon. John Hay in the Hall of the House of Representatives during the exercises in memory of the late President McKinley, on February 27, 1902; 16,000 for the use of the House of Representatives, and 8,000 for the use of the Senate.

House concurrent resolution 82.

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound together in paper 30,000 copies of the following documents, namely: United States Bankrupt Law of 1898, uniform system, with marginal notes and index; General Orders and Forms in Bankruptcy, adopted and established by the Supreme Court of the United States November 28, 1898, and Public Law, No. 62, for the amendment of the bankruptcy law, passed by the Fifty-seventh Congress, second session, on January 28, 1903, of which 10,000 copies shall be for the use of the Senate and 20,000 copies for the use of the House.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 16509. An act to authorize the Pearl and Leaf Rivers Railroad Company to bridge Pearl River in the State of Mississippi;

H. R. 16. An act to provide for the erection at Washington, D. C., of statues to the memory of Brig. Gen. Count Pulaski and Maj. Gen. Baron von Stuben of the Continental Army;

H. R. 17204. An act to authorize the construction of a bridge across the Arkansas River at or near Moors Rock, in the State of Arkansas;

H. R. 3510. An act for the relief of the executors of James P. Willett, deceased, late postmaster of the District of Columbia;

H. R. 14051. An act granting the consent of Congress to N. F. Thompson and associates to erect a dam and construct power station at Muscle Shoals, Alabama;

H. R. 16909. An act to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901;

H. R. 15595. An act confirming and ceding jurisdiction to the State of Arkansas over certain lands formerly in the Fort Smith Reservation, in said State, and asserting and retaining Federal jurisdiction over certain other lands in said reservation;

H. R. 1027. An act granting a pension to Lavina Cook;

H. R. 16522. An act granting an increase of pension to Caleb C. Van Sickell; and

H. R. 4178. An act for the relief of Austin A. Yates.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 6515. An act to exempt from taxation certain property of the Daughters of the American Revolution in Washington, D. C.; and

S. 6525. An act to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia."

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bill of the following title:

H. R. 16021. An act making appropriations for the legislative,

executive, and judicial expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes.

INCREASE OF PENSION FOR LOST LIMBS IN THE MILITARY AND NAVAL SERVICE OF THE UNITED STATES.

Mr. SULLOWAY. Mr. Speaker, I desire to submit a conference report on the bill S. 4850, an act to increase the pension of those who have lost limbs in the military or naval service of the United States, or are totally disabled in the same, for the purpose of having it printed in the RECORD.

The SPEAKER. It will be printed under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 4850, "An act to increase the pensions of those who have lost limbs in the military or naval service of the United States, or are totally disabled in the same," numbered 1, 2, 3, 6, and 8, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, and 6, and agree to the same.

That the House recede from its amendments numbered 1 and 8.

That the House recede from its amendment to the title of the bill and agree to an amendment as follows: In lieu of the matter proposed by the House in part: "An act to increase the pensions of those who have lost limbs in the military or naval service of the United States;" and the Senate agree to the same.

C. A. SULLOWAY,
W. A. CALDERHEAD,
ROBERT W. MIERS,
Managers on the part of the House.
J. H. GALLINGER,
P. J. MCCUMBER,
JAS. P. TALIAFERRO,
Managers on the part of the Senate.

STATEMENT.

This bill (S. 4850) passed the Senate April 19, 1902, granting an increase of pension of \$15 per month to those who lost limbs in the military or naval service of the United States.

It was amended by the House on June 16, 1902, by cutting down the proposed increase from \$15 to \$10 per month, by granting its benefits to those only whose disabilities were incurred prior to August 4, 1898, and by increasing the pension of those who have lost both feet to \$100 per month, and by adding a new section (section 2) of the bill, increasing from \$12 to \$30 per month the pension of those drawing the maximum rating under the act of June 27, 1890, provided they served one year and were so disabled as to require the frequent and periodical aid and attendance of another person. As a result of the conference the Senate has agreed to the rates of increase allowed by the House, viz. \$10 per month, instead of \$15 per month, as the bill originally passed the Senate, and your conferees have receded from the amendment so that the increased rates apply to all pensioners who lost limbs in the service without limitation as to date of incurrence of the disability, and they have also receded from the amendment contained in section 2, increasing the pensions of those totally disabled so as to require the aid and attendance of another person, who are drawing the maximum under the act of June 27, 1890, viz. \$12 per month.

C. A. SULLOWAY,
W. A. CALDERHEAD,
ROBERT W. MIERS,
Managers on the part of House.

PHILIPPINE COINAGE.

The SPEAKER. Recurring to the special order, the first question is on agreeing to the first amendment.

The question was considered, and the amendment was agreed to.

The SPEAKER. The Clerk will now report the second amendment.

The Clerk read as follows:

Strike out all of section 14.

The amendment was agreed to.

Mr. COOPER of Wisconsin. I move that the House agree to the amendment of the Senate as amended by the House, and on that motion I move the previous question.

The previous question was ordered.

The question recurring on the motion of Mr. COOPER of Wisconsin, that the House agree to the amendment of the Senate as amended.

The SPEAKER (having put the question). The ayes appear to have it.

Mr. JONES of Virginia. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 104, answered "present" 11, not voting 97; as follows:

YEAS—139.

Adams,	Burke, S. Dak.	Cushman,	Fowler,
Alexander,	Burleigh,	Dahle,	Gaines, W. Va.
Allen, Me.	Burton,	Dalzell,	Gardner, Mass.
Babcock,	Butler, Pa.	Davidson,	Gardner, Mich.
Ball, Del.	Calderhead,	Deemer,	Gardner, N. J.
Barney,	Cannon,	Dick,	Gibson,
Bartholdt,	Capron,	Draper,	Gill,
Bates,	Conner,	Dwight,	Gillet, N. Y.
Beidler,	Coombs,	Emerson,	Gillet, Mass.
Bishop,	Cooper, Wis.	Esch,	Graff,
Boreing,	Corfiss,	Evans,	Greene, Mass.
Bowersock,	Cousins,	Fletcher,	Grosvenor,
Brandegee,	Cromer,	Fordney,	Grow,
Brown,	Crumpacker,	Foss,	Hamilton,
Brownlow,	Currier,	Foster, Vt.	Hanbury,

Haskins,
Haugen,
Heatwole,
Hedge,
Hemenway,
Henry, Conn.
Hepburn,
Hitt,
Holliday,
Hopkins,
Howell,
Hull,
Irwin,
Jack,
Jones, Wash.
Ketcham,
Knapp,
Kyle,
Lacey,
Landis,

Lawrence,
Lessler,
Lewis, Pa.
Littauer,
Long,
Loudenslager,
Lovering,
McCall,
McLachlan,
Mahon,
Mann,
Marshall,
Martin,
Miller,
Minor,
Moody,
Morgan,
Morrell,
Mudd,
Needham,

Olmsted,
Otjen,
Overstreet,
Parker,
Payne,
Pearre,
Perkins,
Powers, Me.
Powers, Mass.
Prince,
Reeves,
Roberts,
Shattuc,
Showalter,
Sibley,
Smith, Iowa,
Smith, H. C.
Smith, S. W.
Sperry,
Steele,

Stevens, Minn.
Stewart, N. Y.
Storm,
Sulloway,
Sutherland,
Tawney,
Thomas, Iowa
Tompkins, Ohio
Van Voorhis,
Vreeland,
Wachter,
Wadsworth,
Wanger,
Warner,
Warnock,
Watson,
Weeks,
Woods,
Young.

NAYS—104.

Adamson,
Allen, Ky.
Ball, Tex.
Bankhead,
Bartlett,
Bell,
Bellamy,
Billmeyer,
Bowie,
Brantley,
Breazeale,
Burleson,
Butler, Mo.
Caldwell,
Candler,
Clayton,
Cochran,
Cooper, Tex.
Cowherd,
Creamer,
Crowley,
Davey, La.
De Armond,
Dinsmore,
Dougherty,
Feely,

Finley,
Fitzgerald,
Flood,
Foster, Ill.
Gilbert,
Goldfogle,
Gooch,
Gordon,
Griffith,
Hay,
Henry, Tex.
Hooker,
Howard,
Jett,
Johnson,
Jones, Va.
Kehoe,
Kern,
Kitchin, Claude
Kitchin, Wm. W.
Kluttz,
Lamb,
Latimer,
Lester,
Lever,
Lewis, Ga.

Lindsay,
Lloyd,
McAndrews,
McClellan,
McCulloch,
McLain,
Maddox,
Mahoney,
Mickey,
Miers, Ind.
Moon,
Neville,
Norton,
Padgett,
Pierce,
Pou,
Pugsley,
Randell, Tex.
Rhea,
Richardson, Ala.
Richardson, Tenn.
Rixey,
Robb,
Robertson, La.
Robinson, Ind.
Rucker,

Russell,
Ryan,
Scarborough,
Shackleford,
Shallenberger,
Sheppard,
Sims,
Slayden,
Smith, Ky.
Snodgrass,
Snook,
Stark,
Stephens, Tex.
Sulzer,
Swann,
Swanson,
Tate,
Thomas, N. C.
Thompson,
Trimble,
Underwood,
Vandiver,
White,
Williams, Ill.
Williams, Miss.
Zenor.

ANSWERED "PRESENT"—11.

Brick,
Burgess,
Cassingham,

Hill,
Maynard,
Mercer,

Metcalf,
Morris,
Scott,

Sparkman,
Threll.

NOT VOTING—97.

Acheson,
Aplin,
Belmont,
Benton,
Bingham,
Blackburn,
Blakeney,
Boutell,
Bristow,
Bromwell,
Broussard,
Brundidge,
Bull,
Burk, Pa.
Burkett,
Burnett,
Cassel,
Clark,
Connell,
Conry,
Cooney,
Curtis,
Darragh,
Davis, Fla.
Dayton,

Douglas,
Dovener,
Driscoll,
Eddy,
Edwards,
Elliott,
Flanagan,
Fleming,
Foerderer,
Fox,
Gaines, Tenn.
Glass,
Glenn,
Graham,
Green, Pa.
Griggs,
Henry, Miss.
Hildebrandt,
Hughes,
Jackson, Kans.
Jackson, Md.
Jenkins,
Joy,
Kahn,
Kleberg,

Knox,
Lassiter,
Little,
Littlefield,
Livingston,
Loud,
McCleary,
McDermott,
McRae,
Meyer, La.
Mondell,
Moss,
Mutchler,
Naphen,
Nevin,
Newlands,
Palmer,
Patterson, Pa.
Patterson, Tenn.
Ransdell, La.
Reeder,
Reid,
Robinson, Nebr.
Ruppert,
Schirm,

Selby,
Shafroth,
Shelden,
Sherman,
Skiles,
Small,
Smith, Ill.
Smith, Wm. Alden
Southard,
Southwick,
Spight,
Stewart, N. J.
Talbert,
Taylor, Ohio
Taylor, Ala.
Thayer,
Tompkins, N. Y.
Wheeler,
Wiley,
Wilson,
Wooten,
Wright.

So the motion of Mr. COOPER of Wisconsin, to concur in the amendment of the Senate as amended was agreed to.

Mr. SCOTT. Mr. Speaker, I voted on this question, forgetting that I had a pair with Mr. JACKSON of Kansas, who is absent. I desire to withdraw my vote and answer "present."

The following pairs were announced:

For the session:

Mr. CURTIS with Mr. BURGESS.

Mr. BROMWELL with Mr. CASSINGHAM.

Mr. KAHN with Mr. BELMONT.

Mr. BOUTELL with Mr. GRIGGS.

Mr. HILDEBRANT with Mr. MAYNARD.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. COOMBS with Mr. DAVEY of Louisiana.

Mr. DEEMER with Mr. MUTCHLER.

Mr. SHERMAN with Mr. RUPERT.

Mr. BROWNLOW with Mr. PIERCE.

Until further notice:

Mr. METCALF with Mr. WHEELER.

Mr. CONNELL with Mr. SHAFROTH.

Mr. SCHIRM with Mr. TALBERT.

Mr. DOVENER with Mr. BROUSSARD.

Mr. MORRIS with Mr. GLASS.

Mr. ACHESON with Mr. SPARKMAN.

Mr. BINGHAM with Mr. ELLIOTT.

Until Friday next:

Mr. SCOTT with Mr. JACKSON of Kansas.

For this day:

Mr. BULL with Mr. McRAE.

Mr. SOUTHARD with Mr. GREEN of Pennsylvania.

Mr. MONDELL with Mr. LITTLE.

Mr. DARRAGH with Mr. DAVIS of Florida.

Mr. JOY with Mr. CLARK.

Mr. BRISTOW with Mr. BURNETT.

Mr. TIRRELL with Mr. CONRY.

Mr. JENKINS with Mr. McRAE.

Mr. SOUTHARD with Mr. WILSON.

Mr. DOUGLAS with Mr. BRUNDIDGE.

Mr. WM. ALDEN SMITH with Mr. WOOTEN.

Mr. TAYLER of Ohio with Mr. TAYLOR of Alabama.

Mr. LITTLEFIELD with Mr. BENTON.

Mr. BLACKBURN with Mr. COONEY.

Mr. BURKETT with Mr. EDWARDS.

Mr. DRISCOLL with Mr. FLANAGAN.

Mr. EDDY with Mr. FLEMING.

Mr. FOERDERER with Mr. FOX.

Mr. HUGHES with Mr. KLEBERG.

Mr. JACKSON of Maryland with Mr. LASSITER.

Mr. McCLEARY with Mr. LIVINGSTON.

Mr. NEVIN with Mr. McDERMOTT.

Mr. SHELLEN with Mr. NAPHEN.

Mr. SKILES with Mr. PATTERSON of Tennessee.

Mr. SMITH of Illinois with Mr. RANDELL of Louisiana.

Mr. STEWART of New Jersey with Mr. REID.

Mr. TOMPKINS of New York with Mr. SELBY.

Mr. KNOX with Mr. SMALL.

On this bill:

Mr. BRICK (for) with Mr. GAINES of Tennessee (against).

Mr. PATTERSON of Pennsylvania with Mr. WILEY.

On this vote:

Mr. MERCER with Mr. GLENN.

Mr. GRAHAM with Mr. HENRY of Mississippi.

Mr. REEDER with Mr. NEWLANDS.

Mr. LOUD with Mr. SPIGHT.

The result of the vote was announced as above recorded.

RECALL OF BILLS.

Mr. GROSVENOR. Mr. Speaker, I am directed by the Committee on the Merchant Marine and Fisheries to ask that that committee be permitted to recall from the House and have referred back to it the following bills:

H. R. 6035. To provide an American register for the ship *Melanope*;

H. R. 3788. To provide an American register for the ship *Antiope*; and

S. 2705. To provide an American register for the barge *Admiral Tromp*.

The SPEAKER. The gentleman from Ohio, chairman of the Committee on the Merchant Marine and Fisheries, is directed by that committee to ask that it be permitted to recall the bills just referred to, and have them referred back to that committee. The titles of the bills will be reported by the Clerk.

The Clerk reported the titles of the bills.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I object.

The SPEAKER. Objection is made by the gentleman from Tennessee.

CONTESTED-ELECTION CASE—WAGONER AGAINST BUTLER.

Mr. OLMSTED. Mr. Speaker, by direction of the Committee on Elections No. 2, I present a privileged report of that committee in the contested-election case of Wagoner v. Butler, from the Twelfth Congressional district of Missouri.

The SPEAKER. The same will be printed and referred to the House Calendar. The Clerk will report the title.

The Clerk read as follows:

Contested-election case—George C. R. Wagoner v. James J. Butler, Twelfth Congressional district of Missouri.

Mr. FEELY. Mr. Speaker, I ask that the report be read.

The SPEAKER. The report has just been filed and the Chair is of opinion that the gentleman has no right to make that demand.

Mr. OLMSTED. Mr. Speaker, if the gentleman from Illinois asks unanimous consent to have the report read, I hope that it will be granted and that the report may be read at this time.

Mr. FEELY. Then, Mr. Speaker, I ask unanimous consent that the report be read.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the report be read at this time. Is there objection?

There was no objection.
The Clerk proceeded with the reading of the report, which is as follows:

[House Report No. 3857, Fifty-seventh Congress, second session.]

GEORGE C. R. WAGONER AGAINST JAMES J. BUTLER.

February 24, 1903.—Referred to the House Calendar and ordered to be printed.

Mr. OLMSTED, from the Committee on Elections No. 2, submitted the following report, to accompany H. Res. No. 466:

The Committee on Elections No. 2, to which was referred the contested election case of George C. R. Wagoner v. James J. Butler, from the Twelfth Congressional district of Missouri, respectfully presents the following report:

At the regular Congressional election in 1900 James J. Butler, the Democratic candidate, was returned as having been elected to membership in the Fifty-seventh Congress by a plurality of 3,553. His Republican opponent, William M. Horton, contested his election.

That case was heard by Committee on Elections No. 1, which, in an able and exhaustive report presented by its chairman to this House April 5, 1902, found that frauds numerous and varied had been so extensively practiced in or relating to said election that the honest choice of the voters could not be determined, and recommended a resolution, adopted by this House June 28, 1902, to the effect that there had been no valid election and that the seat held by Mr. Butler be declared vacant. The governor of Missouri ordered a special election to fill the vacancy thus caused, which special election was held Tuesday, November 4, 1902, that being also the day for the regular election of Representatives in the Fifty-eighth Congress. Mr. Butler was returned as elected to fill the vacancy in this present Congress caused by his own unseating, and by the increased plurality of 6,293. He took the oath of office December 1, 1902, and now occupies the seat of which he was once deprived by the action of this House, as above indicated.

His counsel informs your committee that at the same election Mr. Butler was also elected to membership in the Fifty-eighth Congress and by a still larger plurality. No evidence concerning that election has, however, been presented to your committee, and with it this Congress has, in any event, no concern.

Mr. Wagoner, who was not a candidate for membership in the Fifty-eighth Congress, contests the election of Mr. Butler for the remainder of the Fifty-seventh Congress and claims himself to have been lawfully chosen to fill the vacancy.

The notice of contest charges that in and with respect to 63 election precincts, hereinafter named, there were practiced nearly every variety of fraud yet devised for producing unfair and dishonest political results, such as padded registration, repeating, false personation, the reception of ballots from persons whose names were not upon the registration books, and therefore, under the laws of the State of Missouri, not entitled to vote at all, the stuffing of ballot boxes, fraudulent conspiracies on the part of election officers to prevent free voting and honest returns, improper interference by the police, intimidation, and in some instances actual violence. As to some, if not all, of these precincts the charges are well sustained by proof.

The Twelfth Congressional district comprises certain wards and parts of wards, and is wholly within the city of St. Louis. It extends across the city from east to west, the western end, however, being considerably wider and greater in extent than the eastern, which borders upon the Mississippi River. No complaint is made as to the election in the western portion of the district, but the middle and eastern portions embrace what are, let us trust, the worst portions of the city, and contain the lowest classes of her inhabitants. Saloons, bawdyhouses, low theaters, mule stables, boarding houses for roustabouts, gambling houses, etc., here abound in great profusion, and the field is well adapted to corrupt political practices.

The district comprises 116 election precincts. As to 53 of these, counsel for the parties mutually agree that there were no such irregularities as would justify the setting aside or modification of the returns. The following are the 53 precincts thus withdrawn from the contest:

Ward 5: Precinct 8.
Ward 6: Precincts 2, 4, 5, 6, 7, 9, 10, 11, 13.
Ward 12: Precincts 11, 12.
Ward 13: Precincts 1, 2, 3, 4, 8, 9, 10, 11.
Ward 14: Precinct 9.
Ward 15: Precincts 5, 7, 8.
Ward 21: Precincts 1, 2.
Ward 22: Precincts 2, 4, 6, 8, 10.
Ward 23: Precincts 5, 8, 9, 10, 11.
Ward 24: Precincts 2, 3, 4, 5, 6, 7, 8, 9, 10.
Ward 25: Precincts 2, 3, 4, 5, 6.
Ward 26: Precinct 1.
Ward 28: Precincts 1, 2.
Total, 53 precincts.

The contestant claims to have proved such frauds and irregularities as to require the throwing out of the returns from all of these 63 precincts. Counsel for contestee, on the other hand, claims that although there may have been irregularities, they were not sufficient to justify the setting aside of any of them.

Although taken within a shorter time than usual, the testimony is much more complete and more intelligently taken with reference to the actual points in controversy than is usual in election cases. It is very voluminous, covering more than 2,300 closely printed pages, in addition to the exhibits.

So much of the testimony has been considered as counsel for the respective parties have pointed out as vital or material. Your committee has also been very materially assisted by elaborate and exhaustive oral argument, as well as by briefs of able and distinguished counsel.

The so-called "Nesbit law," adopted in 1899, provides election machinery applicable to the city of St. Louis only.

Counsel for contestant claim that the provisions of this law give partisan control of the election machinery and facilitate the perpetration of corrupt practices. Counsel for contestee claims that some of its most objectionable provisions were eliminated by the supplementary act of 1901. It appears that in 1898, just prior to the adoption of the "Nesbit law," this particular district elected a Republican Congressman by a majority of 2,321, but since the adoption of the law Democratic majorities have invariably been returned. This of itself may or may not prove anything. It seems to your committee that the law, even as amended, contains some very objectionable features.

The entire election machinery of the whole city is placed under the control of the "board of election commissioners," composed of three members appointed by the governor for the term of four years. The law does, indeed, provide that "one of said commissioners shall be a member of and belong to the leading party politically opposed to that to which the governor belongs." Nevertheless, he is selected by the governor and not likely to be very antagonistic to the party whose governor confers upon him the position. It is provided that—

"Said election commissioners shall make all necessary rules and regula-

tions, not inconsistent with this article, with reference to the registration of voters and conduct of elections, and shall have charge of and make provisions for all elections, general, special, local, municipal, State, and county, and of all others of every description to be held in such city or any part thereof at any time."

The voters in the several election precincts are not permitted to select their own judges, inspectors, and clerks of election; but this board of three election commissioners appointed by the governor is authorized to select for each polling place four judges and two clerks of election. It is, indeed, provided that two of the judges and one of the clerks shall be "designated" by the minority commissioner. It requires, however, the concurrence of at least one of the majority commissioners to make this designation effective.

The provision of the Nesbit law with reference to registration is a striking feature, and, it is believed, unknown to the election machinery of any other city. A voter may upon a certain day register in the precinct in which he lives, but except upon that day registration must be made outside of the precinct, and in many cases outside of the Congressional district, at the office of the central board of election commissioners. The provisions of the Nesbit law upon this matter of registration afford a wide field for fraud. It appears from the testimony that by far the greater portion of the names appearing upon the registration books were placed there not in the precincts where the voters lived, but at the central office of the board of election commissioners.

The four judges of election in each precinct are constituted by law a board of registration for their precinct, but, as already stated, the majority of registrations are made at the office of the board of election commissioners and not with the precinct board.

The general board is required to furnish to the precinct board verification lists. No new names are permitted to be added after "the Saturday following the Tuesday three weeks preceding such election," but the clerks of election are constituted canvassers of their respective precincts and, being supplied with the verification lists, may "come together and canvass their precinct, calling at each dwelling house for the purpose of verifying the register." When that has been done a further meeting is to be had for corrections of the registration. Then it is provided by law that—

"Sec. 7238. Judges shall sign registry—registry to be sent to commissioners—commissioners to proceed—how lists public records.

"At the end of the last session provided for the said board of registration and said clerk shall compare and correct the registers aforesaid and make them correspond and agree; and said judges shall then, immediately following the last name on each page of the register, sign their names so that no other name can be added without discovery, and shall return the two registers to the possession of the election commissioners; thereupon the said commissioners shall at once cause copies to be made of such registers, of all the names upon the same, with the address, and arranged according to the streets, avenues, or alleys, commencing with the lowest number and arranging the same in order according to street numbers, and shall then cause such precinct register, under such arrangement, to be printed in sufficient numbers to meet all demands, and upon application a copy of the same shall be given to any person in such precinct. Said registers in the office of the election commissioners shall be public records and open to public inspection."

Duly authenticated copies of all these printed precinct registers are found in the testimony of this case.

Contestant addressed or caused to be addressed and sent through the post-office a registered letter to each person whose name and address were thus shown to be registered in the 63 precincts in controversy. The total number of registered letters thus mailed was 25,179. Of this number 12,608 were returned with indorsements bearing the number of the letter carrier and statements to the effect that the parties were not found at the address given. These letters were mailed, some on the 16th and some on the 17th of December following the election.

Of the 25,179 names appearing on the officially published registry lists, 16,045 do not appear in the city directory for 1902, and as will hereinafter appear, thousands of votes were cast and counted in names not appearing upon either.

Four thousand six hundred and sixty-nine of the registered letters returned bore the statements of the letter carriers to the effect that the parties to whom they were addressed had "removed." Of this 4,669 names of persons appearing upon the registry lists, all of whom "removed" shortly after election, only 245 grace the pages of the St. Louis city directory for 1902.

These registry lists, printed by authority and required by law to be published for the information of the public as to the registration in each precinct, were offered and received in evidence with no objection whatever on the part of the contestee, either as to their authenticity or relevancy, or as to their not being the best evidence. But the minority election commissioner was cross-examined and subsequently called on behalf of contestee for the purpose of showing that they were not correct. He actually testified that they were not, but that a great many of the names which were actually upon the registration books in his office were not included in these printed sheets.

Contestee also placed in evidence the certificate of the secretary of the board of election commissioners, showing 425 names upon the original registration book of Ward 22, precinct 1, whereas the printed registry sheets showed only 205. Also a similar certificate showing 676 names upon the registration book in the office of the board of election commissioners from Ward 4, precinct 7, although the printed registry sheets showed only 169.

These exhibits, offered on behalf of Mr. Butler, seem to your committee to present the highest evidence of fraud. No names could have been honestly placed upon the registration books after the published registry sheets were given out except in a few cases of persons who, having been refused registration in their respective precincts, had appealed to the board of election commissioners. The testimony of the minority commissioner is to the effect that there were not more than 40 of such cases in the entire city of St. Louis, but in this Congressional district alone thousands of persons voted whose names were not upon the printed registry lists, and it now appears from the contestee's own testimony that in one of the precincts above mentioned less than half the names upon the registration books were contained in the printed sheets, and in the other less than a fourth.

This same state of affairs extending throughout the entire district or, at least, throughout the 63 precincts in controversy shows premeditated and deliberate fraud, for either thousands of names were illegally added to the registration after the giving out of the printed sheets or else thousands of the names upon the registration books were deliberately and intentionally omitted from the published lists for the purpose of depriving the public of ascertaining or knowing the extent to which false registration had been made. No such glaring discrepancies as are here apparent can possibly be accounted for upon the ground of accident or ignorance.

Counsel for Butler has insisted with great earnestness that the evidence as to the sending out of the registered letters and the results thereof was improperly offered by contestant in rebuttal, and ought not, therefore, to be

considered by your committee. The fact appears to be, however, that the sending of such letters having become public, the person who had charge of the matter was called by contestee himself and much information concerning the results elicited.

An attempt was also made by contestee to impugn the character of this witness for the purpose of discrediting his evidence as to the number of letters sent out and those returned. The contestee himself having proceeded so far in the taking of testimony upon the subject, your committee is unable to see that it was not proper for contestant in rebuttal to place in evidence the letters themselves, bearing the returns of the letter carriers who had attempted to deliver them. We are not prepared, however, to accept the conclusions which the contestant asks us to draw from this testimony. In a given case a man may have been lawfully entitled to vote, although his name did not appear in the city directory published some months before the election and he was not found by the letter carrier a few weeks after the election. We therefore decline to cast out any particular vote or votes upon that ground.

Nevertheless the fact that so great a number of names appearing upon the registry list could not be found either in the directory or by the letter carriers does throw suspicion upon the integrity of the registration. When this is coupled with evidence offered by the contestee himself to show that thousands of names were found upon the registration books which do not appear in the printed lists, and were therefore not embraced within the registered-letter scheme of detection, and that the votes of such persons not upon the registry lists were received by hundreds and thousands throughout these 63 precincts, the conclusion is irresistible that there was premeditated and systematic fraud perpetrated in the interest of the contestee.

It appears from the evidence that, although the law of Missouri expressly provides that no vote shall be received from any person not registered, there were in these 63 precincts actually cast for Mr. Butler 3,017 ballots and for Mr. Wagoner 636 ballots by persons whose names did not appear upon the printed registry sheets submitted to the public. Higher evidence of fraud it would be difficult to imagine.

The constitution of Missouri expressly provides—
"That in all cases of contested elections the ballots cast may be counted, compared with the list of voters, and examined under such safeguards and regulations as may be prescribed by law."

There appear in the evidence in this case the complete registration lists for these 63 precincts, showing the name of every person registered according to the information which the election commissioners supplied to the public immediately before election. Also the poll books giving the name and address of every person who appeared and voted, or at least in whose name a ballot was deposited, and, the boxes having been opened, the evidence showing for what candidate for Congress the ballot voted in that name was cast. With all this information before us it is possible to detect some, though not all, of the frauds which have been perpetrated.

FOURTH WARD, NINTH PRECINCT.

The first witness whose testimony appears in the printed record of this case (p. 13) was James H. Smith, 72 years of age, Republican clerk in precinct 9 of the Fourth Ward. He testified that the Republican judges were Gustav Schmidt and Paul Mertz, and that the Democratic judges were Cosgrove and Heffernan. There were voting booths for but three persons at a time. The police officer at the door was instructed to admit but three persons at a time. Eight, however, came in. Schmidt, one of the Republican judges, made the apparently unusual and unseemly objection that one or more of them who had already voted were trying to vote again, and asked the officer to take them out. After a time they all went out. What followed appears in the testimony thus, commencing at page 14:

"Q. Then what happened?
"A. A sergeant of police came rushing in and says, 'The report is that you have all got arms.'

"Q. Addressing the judges and clerks?
"A. Yes, sir. I was nearest the door; he searched me first and went on and searched them, and when he went around he went to the door; I could still see him where I was standing, and he says, 'Boys, it's all right; there's not a gun in the crowd.'

"Q. Who said that?
"A. Sergeant Lally.

"Q. Sergeant Lally said that?
"A. Yes, sir.

"Q. To whom did he make that statement?
"A. I suppose to the multitude in front of him.

"Q. How long was that after the eight had gone out?
"A. Probably ten minutes.

"Q. Then what happened?
"A. I do not know just what did happen; about a minute afterwards—

"Q. Why?
"A. It upset me.

"Q. Who upset you?
"A. This gang that ran in.

"Q. What gang?
"A. I don't know.

"Q. How many of them, about?
"A. A room full; I should judge about 30.

"Q. What did they do?
"A. Just hammered up everybody they could reach that was on the Republican side, that represented the Republican ticket.

"Q. Did they hammer you?
"A. I went down; was knocked down at the first kick, and knocked into the corner, and they were all on top of me, and I escaped that way.

"Q. At the bottom?
"A. Yes, sir; I was underneath.

"Q. After that did you see Mr. Mertz and Mr. Schmidt, the Republican judges?
"A. I asked an officer—

"Q. Did you see them?
"A. Yes, sir.

"Q. Were they beaten?
"A. They were, yes; beat bad.

"Q. How?
"A. With brass knuckles and pistols, and one thing and another.

"Mr. BUTLER. Please state the facts.
"Q. (By Mr. RICHY.) Did you see brass knuckles?
"A. I did.

"Q. Did you see pistols?
"A. I did.

"Q. Did you see these men hammered?
"A. I did.

"Q. Did they show the effects of the hammering?
"A. They did.

"Q. Where was the police, then, while this was being done?
"A. I did not see any.

"Q. Had they been there before?
"A. They had been there before.

"Q. In the room?
"A. No; there was one there at this time. Then the sergeant took one of the police and went south.

"Q. There were two policemen there, then?
"A. Before that.

"Q. Before this trouble?
"A. Yes, sir.

"Q. Before that Sergeant Lally stated that there was not a gun in the crowd; when he made that statement these people came in and hammered the judges and clerks?
"A. Yes, sir.

"Q. Then, just before that crowd came in, if I understand you, Sergeant Lally took one of the officers away?
"A. He did.

"Q. Who was it?
"A. Horan.

"Q. What became of the other officer?
"A. He remained in the hall until the fight was over and then walked in.

"Q. What was his name?
"A. That I could not tell you.

"Q. You say Sergeant Lally said, 'There is not a gun in the crowd.' Is that true?
"A. It was not true.

"Q. Who had a gun?
"A. I seen Cosgrove with a gun in his hip pocket.

"Q. How long afterwards?
"A. Probably five or ten minutes. He was leaning out of the window.

"Q. Was Heffernan beat up?
"A. No, sir.

"Q. Was Cosgrove beaten up?
"A. No, sir.

"Q. Was Boys beaten up?
"A. Boys was not there.

"Q. None of the Democrats were beat, were they?
"A. No, sir.

"Q. But all of the Republicans were hurt?
"A. Yes, sir.

"Q. Was there a challenger there?
"A. No, sir.

"Q. Had there been?
"A. No, sir; if there was one I did not see him.

"Q. When the polls were opened that morning were you there?
"A. I was.

"Q. Did either party have a challenger?
"A. There was something said about it, and they said we didn't need him.

"Q. Who said that?
"A. Cosgrove.

"Q. Was any report made of this trouble to the election commissioner?
"A. There was.

"Q. Did the election proceed?
"A. Until about 3 o'clock.

"Q. That is from 12 or half past until about 3 or a quarter past 3 o'clock at that precinct the election was entirely stopped?
"A. Yes, sir.

"Q. And no votes were received during that time?
"A. No, sir.

"Q. Was the ballot box destroyed or any of the election paraphernalia?
"A. The box seemed to be all right; the voting book was taken away.

"Q. The ballot book was taken away?
"A. Yes, sir; the sheets that we were writing names on.

"Q. White or black?
"A. A black man.

"Q. Do you know what names he voted under and from what registration number?
"A. (Witness here examined the same notebook and continued.) He voted as Frank Miller.

"Q. From what number?
"A. 1621 Linden street.

"Q. Also as—
"A. J. Brown.

"Q. From what number?
"A. 1716; Morgan, and Charles Scott from the same number.

"Q. 1716; Morgan?
"A. Yes, sir.

"Q. And also as any other person?
"A. He voted as C. Bass, 1623 Morgan street.

"Q. When you spoke of the registration places where Kinney voted the names of Bent, McKinney, Clapp, and Frank, you said 1636 Franklin?
"A. Yes, sir.

"Q. Don't you mean 1636 Morgan?
"A. Franklin avenue. I meant it as I said it. He voted all his votes from 1636 Franklin."

The testimony of this witness is valuable also as showing the utter lack of integrity in the registration of voters. Eighty names had been registered as those of persons living at 1636 Franklin avenue, a saloon. Smith, in his capacity as canvasser, testified that on six different occasions he attempted to verify the registration from this particular saloon, but was refused admittance. Finally, by a trick, he caught at the door the lady who "run the house." Being asked who lived there, she said she did not know. She could remember the names of only three (p. 22).

The matter being reported to the board of election commissioners, appointed by the governor, and having, as already stated, entire charge of the election machinery of the city of St. Louis, it was compromised, not by ascertaining who did live there and who were entitled to vote, but by splitting the difference, striking off 40 and leaving 40 on the list. A man named "Snake" Kinney, who was not a member of the election board, seems to have been very instrumental in fixing up the returns for this precinct.

The testimony of Gustav Schmidt is equally instructive. He says (p. 25):

"Q. You were one of the Republican judges at the election on November 4?
"A. Up to noon.

"Q. Why do you say up to noon?
"A. Because I asked for protection to be carried home, because I was beat up with revolvers and was struck over the head with revolvers, blood running down my face; I was kicked in the stomach, my limbs were skinned from my feet up to my knees, and I was all beat up; in fact, I was unconscious at the time. I wasn't able to go home by myself, so I asked for a police officer to assist me to my home, which he did. There I rested a few minutes, my wife washed the blood off my head; then I went to the doctor at Seventeenth and Franklin, who washed my head with carbolic acid, bandaged up my head, sent me to my home to go in a dark room and go to bed.

I was confined to my bed until the following Friday afternoon; then I went over to him again to examine my head. He told me I better go for a little fresh air for strengthening. I took a car ride about twenty minutes, went back to my home, went right to bed again. I felt too weak to stand on my feet. I stayed in bed until Saturday morning about 10 o'clock. I got up, took a car, went down to the place where I was employed to notify them I was coming back to work Monday morning.

"(Counsel for contestee made the request that other witnesses that were summoned be excluded from the room during the taking of testimony.)

"(Counsel for contestant answered that the rule regarding the exclusion of witnesses did not apply to civil cases of this nature.)

"(Counsel for contestee called attention to the fact that there were at that time six witnesses in the room, called for to-day, listening to the witness who is testifying.)

"The witness resumed:

"I went down to my work; I was expecting to go back to work on Monday morning; course I was weak, but I tried to go. The way this trouble started, first out of the registration. The one that registered, I detected on the day of registration, brought in the poll books against the laws of the State of Missouri for any name to be scratched on the register and another entered up in its place. This is done all through the books, and they are mutilated and, in fact, changed. In fact, changed the law of the State of Missouri. Furthermore, I detected fraud. In front of my own name is R. I detected a big R in the books branding me as Republican. Mr. Mertz was branded a Republican; in front of his name and several others the same way, and this registration was wrong. I detected at the House 1636 Franklin 81 registered, while Griffin, the delegate for our ward, is running a saloon there. There was 81 registered out of that house. There was 24 registered at 1729 Lucas, which is not in existence at all, is no such number as that, and at 1626 Morgan street there was 11 registered, which I canvassed myself and was in the house; found 5; 6 not to be found. The owner of the house stated to me they never lived there.

"Q. How many did not live there?

"A. Five out of the 11.

"Q. Those you did not find?

"A. Six I did not find; 5 I found.

"(Counsel for contestee called attention to the fact that a colored man was taking notes in the back of the house.)

"(The man stated that he was writing a note to a gentleman in the room whom he had come to see.)

"Witness resumed:

"I asked the judges and clerks, Republican and Democratic judges; I said, 'Gentlemen, will you do your duty as judges and clerks?' I said, 'What results did you get out of the house 1636 Franklin?' They answered me, 'They are all there.' I knew better at the time. I asked him in regard to 1636 Morgan; I got the same answer. 1729 Lucas, the same answer. So I refused to sign the books. I was going before the election commissioners. I believe it was on Friday—I am not quite certain, to the best of my knowledge—I refused to sign the books.

"Q. That is the registration book?

"A. I asked the clerks if they sent out any notices; they told me 'No.' So I refused to sign the books. I was called before the board of election commissioners—in fact, all of us was called there on Friday. I came in and the balance of the judges and clerks of both parties was there, and I was asked by Judge McCaffery, a Democratic member, asked me the reason why I would not sign. I asked Mr. McCaffery if he wanted me to commit a barefaced fraud by signing such a fraudulent book. He says, 'Where is the fraud?' I showed it to them; I showed the names erased, other names put in the place which you can see, and that changes the constitution of the State. So he would not agree to that and I kept on wrangling with him, and I would not sign the book. So they told us to go outside and we went in. In about fifteen or twenty minutes I was asked again to sign them. I says, 'No'; so Mr. McCaffery says 'What do you want?' I says, 'I want a recanvass of that whole precinct and the Republican clerks discharged at once.' That was granted; we got a new Republican clerk and the canvass proceeded. Then we were called before the board of commissioners on Sunday morning at 10 o'clock, previous to the election. We went over the books. I handled the register of the Democrats. The Democratic judge handled the Republican register and it was a duplicate of the Republican. We read off the names—I done it myself—and we went over every one and kept a tally of 1636 Franklin and made sure that these 81 names were on it. I have the tally here that I kept. The same at 1729 Lucas and several others. He read the names off after we got through. I says, 'Gentlemen, what do you propose to do with them 81 names at 1636 Franklin?' They said, 'We propose to leave them on the books.'

"Q. Who did?

"A. Both the Democratic judges. I says, 'I will not sign those books.'

"Q. Do you mean the Democratic judges?

"A. Yes; they wanted to leave the names on.

"Q. Or do you mean the commissioners?

"A. No; I mean the judges. So I refused to sign them again. We went before Mr. McCaffery, chairman, and he says: 'This is the last chance you get.' He says: 'This fuss has got to stop; I get sick and tired of you.' I looked him square in the face and he showed it, so he hit his hand on the table like this and commenced using language that didn't suit me as a respectable citizen of St. Louis. I refused to sign the books again, so we kept on and kept on until the commissioners got Mr. Louis P. Aloe to come to me, and he says: 'Mr. Schmidt, they will agree to make a compromise and take off 40 names.' I said: 'I want the whole 81 off, unless they show they live there, unless they show me the proof that they live in that house. They have got to agree to that.' Finally I says: 'If I do sign these books it will be under protest; outside of that I will not sign it.' The book was signed.

"Q. Do you know Mr. Kinney?

"A. Well, he was pointed out to me on the street as 'Snake' Kinney. I addressed him as such and he didn't deny it.

"Q. Did you see him at this polling place on election day?

"A. Yes, sir.

"Q. Whereabouts?

"A. Standing alongside of the Democratic judge handling the books.

"Q. Who handled the books?

"A. 'Snake' Kinney and Cosgrove.

"Q. How long was 'Snake' Kinney in there standing by the side of the Democratic judge?

"A. About three-fourths of an hour to the best of my knowledge. He led the gang. They commenced beating as soon as he came in.

"Q. This 'Snake' Kinney came into the polling place—came back where the judges and clerks were?

"A. Yes, sir.

"Q. Did you make any protest?

"A. I made a protest; it didn't do any good.

"Q. What did you say?

"A. I told them nobody who is not an officer has to handle the polls and has to get out. The door was blocked off and I could not get near the police-man.

"Q. What did Cosgrove and the other Democratic judge do?

"A. Nothing at all; just showed him all the books and the names in it.

"Q. He took part in the election?—A. Yes, sir; in fact, they voted some three or four times right in front of my face. I says, 'Kinney, you know this is fraud.' He says 'You are mistaken.' They voted three or four times in front of me.

"Q. That was done in the presence of 'Snake' Kinney and under his protection?

"A. Yes, sir.

"Q. The repeating you speak of, by that you mean a man who voted more than once, began voting after 'Snake' Kinney came in there?—A. Yes, sir."

The testimony of these witnesses is fully corroborated by that of Mertz (p. 33).

We have in evidence the registration list, which contains, or ought to contain, the names of all persons entitled to vote in this precinct. The manner in which it was made up appears from the testimony cited. There has been also offered in evidence the poll book, which, as that term is used in Missouri, means a book supplied in blank and in duplicate to the election officers. The numbers 1, 2, 3, etc., are printed at the beginning of each line. The name and address of the first person who appears and votes is, or should be, written in the first line. The name and address of the second person in the second line, etc.

Each voter is, or should be, given a ballot numbered to correspond with the number of the line upon which his name and address are written. This poll book, which is thus made up as the voting proceeds, should show the name and address of each person voting. It has been offered in evidence (p. 459). It contains the names, addresses, and numbers of 258 persons who are supposed to have appeared and voted in this precinct.

The ballot box was opened, and commencing on page 796 will be found a statement showing the number of each ballot found therein and the name of the candidate for whom said ballot was voted for the short term for Congress. A study of these tables shows remarkable results. According to the poll book, 258 persons, and no more, whose names and addresses are given, appeared and voted. There were found in the ballot box 260 ballots. According to the poll book, 258 was the highest number of ballot voted, but there were found in the box ballots numbered 270, 275, 302, 303, 304, 305, 306, 307, 308, 310, 312, 314, 315, 317, 318, 319, 320, 321, 323, 323, 325, 349, 351, 352, and 398—25 numbers in all, none of which appear upon the poll book, and all of which were counted for Butler.

Another remarkable fact is that ballots numbered 43, 115, 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 130, 131, 134, 135, 137, 138, 139, 142, 144, 146, 149, 150, 151, 152, 154, 156, 157, 158, 159, 160, 161, 162, 163, 164, 167, 168, 180, 181, 182, 183, 185 and 221—45 in all—were voted and counted twice for Butler, while ballot No. 137 was voted and counted three times for him. In other words, these 45 persons in repeating did not even take the usual precaution of voting under different names. How many times they voted under other names will never be known.

The further fact, still more significant, if possible, is that as to 77 names of persons appearing in the poll book no corresponding ballots are found in the box at all. These numbers are 3, 5, 12, 13, 20, 34, 37, 39, 46, 48, 52, 55, 56, 61, 64, 71, 77, 78, 80, 89, 105, 109, 111, 112, 113, 173, 187, 188, 190, 191, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 213, 215, 216, 221, 223, 227, 228, 231, 233, 234, 236, 237, 238, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, and 258.

Thus, if the integrity of the poll book can be assumed, it appears that 77 ballots cast were not found in the ballot box at all, their places being supplied in part by the duplication of other numbers upon the poll book and the addition of 25 numbers not found on the poll book. Those who fixed up this return tried to make the accounts balance. There were 258 names and numbers on the poll book, and they returned 258 votes, 237 for Butler and 21 for Wagoner. But even counting the 45 duplications and 1 triplication and the 25 additional votes not accounted for on the poll book at all, there were in the box only 227 ballots bearing Butler's name, while there were 28 bearing Wagoner's, 3 bearing the name of Artz, and 1 containing no name for Congress.

Election signifies choice. In view of this array of facts it needs no argument to show that the returns from this precinct afford no evidence whatever as to the choice of the voters. The registration, the conduct of the election, the poll books, and the returns are all fraudulent and utterly unreliable. There was ballot-box stuffing and ballot-box robbing and nearly every form of irregularity known to political history.

WARD 23, PRECINCT 13.

The "Butler stables," so called, are located in this precinct. One hundred and ten men were registered as living in this stable and 61 of them voted for Butler. Mr. John R. McCarthy, the superintendent having charge of the stable, testified to the effect that these men and others—sometimes as many as 200—slept in that stable (p. 2043). He did not pretend that the stable owners furnished sleeping accommodations, but said the men were allowed to furnish their own beds. Being asked if these men were married, he answered (p. 2044):

"Q. Are any of them married men, as far as you know?

"A. Well, on pay night you would think they had a dozen wives. I have seen three and four come up and say they were the same man's wife."

Where these men boarded he did not state. From his testimony we are asked to infer that this great body of men, most of them married, lived in this stable, apart from their wives and families.

He testified that they had been so living for years. He is directly contradicted by Mr. H. G. Schirr. He testified as follows (p. 80):

"Q. Now, you said in answer to Mr. Bond's question that you were well acquainted in that precinct?

"A. Yes, sir.

"Q. How long have you lived in that precinct?

"A. All my life.

"Q. How long have you been working at the grocery store there at 3363 Manchester avenue?

"A. I have been away a couple of times, three or four times.

"Q. How long have you been working there off and on?

"A. Off and on altogether about nine years.

"Q. Now, how long this last time have you been working there?

"A. About a year.

"Q. Now, how far away are the stables at 3365 Forest Park Boulevard from where your grocery store is?

"A. Two blocks.

"Q. Do you know those stables?

"A. Yes, sir.

"Q. By whom were they conducted; under what name were they operated or run?

"A. The Excelsior Hauling and Transfer Company.

"Q. What other name have they?

"A. They generally call them Butler's stables.

"Q. What sort of a building are the stables?
 "A. A regular stable; horse stable.
 "Q. How many stories?
 "Mr. Butler, the contestee, objects to this examination as not being an examination growing out of anything that has been drawn out in the cross-examination, and as being original or direct examination.)
 "Mr. HOLT CAMP. We will simply say that Judge Bond's question went to the matter of this witness's going around in that neighborhood and canvassing and examining into this registration.
 "Mr. WALSH. That question grew out of a statement made in the original examination that this witness knew of the number of voters living in this precinct, and was a natural question growing out of the original examination.
 "Mr. HOLT CAMP. And it is not unnatural for us to pursue it.
 "(Counsel for the contestee states that he makes this objection to all this redirect examination of this witness.)
 "Mr. RICHEY. How many stories are there to that building?
 "A. Two.
 "Q. Have you been in the second story?
 "A. Yes, sir.
 "Q. What was there?
 "A. Hay and oats.
 "Q. When were you there with reference to election and registration days?
 "A. I was there one evening, I don't recollect which.
 "Q. How long before the election, about?
 "A. About three or four months.
 "Q. Were there any beds on that second floor?
 "A. No, sir.
 "Q. Nothing but the feed?
 "A. That is all, oats and hay.
 "Q. Now the first floor, for what was that used?
 "A. For stock.
 "Q. What kind of stock?
 "A. Mules and horses.
 "Q. Any bedrooms in the building anywhere?
 "A. No, sir.
 "Q. Did anybody live at that number, 3835?
 "A. No, sir; not that I know of.
 "Q. Now, did you look into the registration from that number?
 "A. Yes, sir.
 "Q. Do you know how many votes were on the registration list from that number?
 "A. No; I did not count them just exactly, but I know there is over a hundred.
 "Q. Would you remember the number if you were told?
 "A. No; I don't think I would.
 "Q. Did you know, at the day of the election, of men voting on these one hundred or more names registered from these stables, 3835 Forest Park boulevard?
 "A. Yes, sir.
 "Q. Did men vote on those names on that day?
 "A. Yes, sir.
 "Q. What time in the day was it?
 "A. From a quarter to 5; beginning at a quarter to 5.
 "Q. Then the men who voted on these names from that stable voted there during this rush that you have spoken of in your direct examination?
 "A. Yes, sir. There was a few of them in the morning.
 "Q. About how many, as near as you can tell, voted from there during the day?
 "A. About six or seven.
 "Q. Six or seven from the whole number located at that stable?
 "A. Yes, sir.
 "Q. Up to what time?
 "A. A quarter to 5.
 "Q. After that time about how many voted from there?
 "A. I don't know; I guess about all of them."
 Of the 110 persons registered from this stable 108 were not reached by registered letters addressed to them, the carriers returning the letters with notations showing that the parties had removed or were not to be found at that address.
 It is not necessary for the purposes of this case to reconcile the testimony of these witnesses, as there are other considerations equally important.
 Mr. Schirr was one of the Republican judges in this precinct, and the manner in which the poll book was made up appears from his testimony as follows (p. 188):
 "Q. Was there anything in connection with the signing of the returns or the poll books at your precinct, the thirteenth precinct of the Thirteenth Ward, that you omitted to tell us when you were on the stand before?
 "Mr. ROWE. I object to the question as being too vague, too indefinite, too uncertain.
 "Q. Answer the question, please.
 "A. Why, there was something that I didn't like to speak of, but being that you want to hear it, I will tell it all to you.
 "Q. What was it?
 "A. We brought the box down there.
 "Q. Who brought it down?
 "A. Me and Mr. Hunterbrinker and the other judge, Mr. O'Connor.
 "Q. You brought the box down where?
 "A. The box and poll books down to the board of election commissioners, and he told me we didn't have the poll books made out right, and that we better make them out right.
 "Q. Who told you that?
 "A. The young fellow that was there at the election commissioners' office.
 "Q. One of the clerks there?
 "A. One of the clerks; yes.
 "Q. He told you so?
 "A. He told us the poll books were not made out right.
 "Q. How had the books been made out? How were they made out at that time?
 "A. We only had one poll book, and that was signed.
 "Q. Hadn't you used but one poll book during the day?
 "A. That is all; used but one.
 "Q. What did this young man, the clerk of the board of election commissioners, tell you?
 "A. He told us to take them back and fix them up; that is what he told us.
 "Q. Take them back where?
 "A. Back to the polling place.
 "Q. What time of the night was that?
 "A. About half past 11 o'clock, I believe.
 "Q. On the night of the election?
 "A. Yes, sir.

"Q. Were all the Republican and Democratic judges and clerks present at that time?
 "A. No, sir.
 "Q. Who was present?
 "A. Me and a young fellow, Mr. O'Connor, the other judge.
 "Q. Mr. O'Connor was there as the Democratic judge?
 "A. Yes.
 "Q. And you were there as the Republican judge?
 "A. Yes, sir.
 "Q. And was anybody else there from that precinct?
 "A. No; that is all that was there, except Hunterbrinker went along with us.
 "Q. Was he a Republican or Democrat?
 "A. He was the Republican clerk.
 "Q. He went along with you?
 "A. Yes, sir.
 "Q. Who carried the ballot box and poll books and so on down there?
 "A. Young O'Connor carried them down.
 "Q. Is that Connor or O'Connor?
 "A. O'Connor.
 "Q. What did you do when you were directed by this clerk of the board of election commissioners to take the poll book back to the polling place?
 "A. Couldn't do nothing. I got scared and went away.
 "Q. You did what?
 "A. I got scared and left the book and box there and went away. They left me there with the box.
 "Q. Who left you there with the box?
 "A. The two young fellows, and I didn't know what to do with them, and so I left them there.
 "Q. O'Connor went off and left you with the box?
 "A. Yes, sir.
 "Q. And Hunterbrinker went off and left you with the box and poll books?
 "A. Yes, sir.
 "Q. And what did you do with it?
 "A. Threw them in a case; that is all I know. I gave them to that young man, the clerk in the commissioners' office, and I went away.
 "Q. I understand you but one of the poll books had been signed by the judges and clerks?
 "A. Yes, sir.
 "Q. When did you hear, if you did hear, from the commissioners about the matter?
 "A. Two days after the election.
 "Q. Tell us what happened then.
 "A. The clerk came out with a policeman and told me to be down there at 2 o'clock, and if I didn't, why, he would come out and get me.
 "Q. Do you know the clerk's name?
 "A. No; I do not.
 "Q. Where did he say he was from?
 "A. The same young man who took the box from me.
 "Q. The same young man you had seen before at the election commissioners', who told you that you should take the box and poll books back to the polling place and have them fixed up and signed?
 "A. Yes, sir.
 "Q. What did he say to you?
 "A. Told me if I didn't come down there at 2 o'clock he would come out and get me.
 "Q. What did you do?
 "A. I went down there and straightened it out and signed it up.
 "Q. How did you straighten it out?
 "A. Copied it off from the one poll book onto the other two.
 "Q. How many poll books were there?
 "A. Three poll books.
 "Q. You made two copies two days after the election with that one book that had been copied on election day?
 "A. Yes.
 "Q. Did you sign and did all the other judges and clerks sign these two books filled out two days subsequently?
 "A. Yes, sir.
 "Q. Why did you sign them?
 "A. Well, I was scared.
 "Q. What scared you?
 "A. Well, the coming out with a policeman is one thing that scared me, and then there was several other parties down there.
 "Q. Down where?
 "A. Down at the election commissioners' office.
 "Q. Who were the other parties that were down there?
 "A. Well, there was one of them named McCarthy; that is all the name I know.
 "Q. Who was McCarthy?
 "A. He was working for Butler—the Excelsior Hauling Company.
 "Q. As an employee?
 "A. Some kind of a boss; that is all I know.
 "Q. And he was there, was he?
 "A. Yes, sir.
 "Q. Where did McCarthy live?
 "A. I don't know.
 "Q. How did you know that he worked for the Excelsior Hauling Company?
 "A. Well, I saw him up there.
 "Q. Acting as a boss?
 "A. Yes, sir.
 "Q. That was near where you lived, or near your place of business, that you saw him?
 "A. Yes, sir.
 "Q. And you knew who he was?
 "A. Yes, sir.
 "Q. Now, why were you afraid of McCarthy? Just tell us.
 "A. Well, I couldn't say why. I was scared, that's all.
 "Q. Well, what is there about McCarthy or his reputation that would frighten a person?
 "A. Well, I don't know nothing about that.
 "Q. Tell us what frightened you?
 "A. I thought he had no business down there now, and he scared me; that is all I know; didn't say nothing more about it.
 "Q. Who demanded that you sign these poll books? Did you see any particular election commissioner that day?
 "A. Yes; I saw Mr.—I forget his name—Mr. McCaffrey.
 "Q. Mr. James McCaffrey?
 "A. Yes, sir.
 "Q. The president of the board?
 "A. Yes, sir.
 "Q. You saw him there?

"A. Yes, sir.
 "Q. What did he say to you, if anything, or in your presence?
 "A. Well, we were fixing up the books, and he told us to sign them after we had straightened them out; that is all.
 "Q. Where was this?
 "A. Up at the election commissioners' office.
 "Q. Were you inside of the office, or where were you?
 "A. Well, we were in the office.
 "Q. Where was McCarthy?
 "A. He came in once, and then he went outside and stayed outside.
 "Q. How do you know he stayed outside?
 "A. Because he was there when we came out.
 "Q. Do you mean to say you were frightened and intimidated by the presence of McCarthy?
 "A. Yes, sir.
 "Q. And also by the fact that the clerk had come out there with a policeman and threatened to come after you if you didn't come down?
 "A. Yes, sir.
 "Q. You went down under those threats, and because of that fear signed the poll books?
 "A. Yes, sir.
 "Q. And they were copies made two days after the original had been made?
 "A. No; we copied them off the one poll book.
 "Q. But you did that two days after the election, after the first poll book had been made?
 "A. Yes, sir."

The poll book, in which the law requires that there shall be written not only the name but the address of each person who appears and votes, contains the names of 435 persons (p. 495). This book is kept in duplicate. The first person who voted was W. B. Finch. On one of the poll books he is recorded as living at 4692 Laclede and the other book gave no address at all. As to the other 434 persons who are recorded as appearing and voting not a single address has been given. This important legal requirement for preserving the integrity of the poll book has been wholly disregarded, except as to the first person who appeared and voted. Although, according to the poll book, 435 persons only appeared and voted, 440 ballots were found in the box (p. 763).

The following numbers appearing in the poll book were duplicated in the ballot box and counted twice for Butler, viz: 37, 112, 129, 147, 158, 182, 202, 203, 245, 262, 289, 295, 296, 347, 355, 389, 428. Ballot No. 6 was voted three times for Butler.

The following numbers appearing upon the poll book as having been voted were not found in the ballot box at all, viz: 3, 7, 23, 27, 35, 60, 127, 131, 132, 183, 189, 211, 215, 228, 229, 232, 237, 243, 250, 252, 277, 282, 287, 288, 297, 302, 303, 322, 323, 324, 325, 326, 327, 329, 330, 331, 332, 332, 332, 365, 398, 404, 405, 411, 423, and 427. In other words, if the poll book is correct, the ballot box was robbed of 46 ballots lawfully deposited.

Including the duplications aforesaid, there were found in the ballot box 347 ballots bearing Butler's name, but the return from this precinct gives him 362 votes. There were found 73 ballots bearing Wagoner's name. The returns give him 69. There were three ballots in the name of Artz, but the returns give him none.

WARD 22, PRECINCT 5.

The poll book (p. 398) shows 426 persons to have voted in Ward 22, precinct 5. The opening of the ballot box (p. 602) disclosed 425 ballots in the box. Of this number 340 (including 28 duplications) bore Butler's name. The returns give him 332. Eighty-four ballots bore Wagoner's name. The returns give him 70. Eighteen persons in this precinct voted twice upon the same name and numbers. Ten others each voted twice upon the same name and address, but upon differently numbered ballots. As to 23 persons, the duplicate poll books did not agree, there being differences either in name or in address. Ninety-one persons voted whose names were not on the printed registration sheets. There were missing from the ballot box when opened 26 ballots of persons who, according to the poll book, had appeared and voted.

WARD 15, PRECINCT 10.

The poll book (p. 395) shows 171 persons as having voted. The opening of the ballot box (p. 814) disclosed 167 ballots. Not a single one of these ballots was numbered, as required by law, and it is therefore impossible to tell what ballot was voted by any particular person whose name appears upon the poll book, or whether any of them were voted by the persons whose addresses thus appear. Eighty-nine ballots bearing Butler's name were found in the ballot box. The returns give him 98. Fifty-nine bore Wagoner's name. The returns give him 61. By reason of the absence of numbers upon these ballots it is impossible to tell whether all or any of these ballots cast by persons who, according to the poll book, did appear and vote, were found in the box or whether the persons who cast the ballots which were found in the box were registered voters, or whether, as in most of the other precincts, there were duplications of ballots by the same voters. The provision of the Missouri statute upon this subject is as follows:

"SEC. 7247. *Procedure when ballot is offered by voter in cases of challenge.*—One of the said judges of election shall receive the ballot from the voter, and shall announce his residence and name in a loud voice, and shall write on the back of said ballot the number of the same, in the order in which it was received, which number shall also be placed opposite the name of the voter in the poll book in the column headed 'number,' and another judge shall put the vote in the ballot box in the presence of the voter and the judges and clerks, and in plain view of the public. The judge or clerk having charge of the registry shall then, in a column prepared thereon, in the same line of the name of the voter, mark 'Voted,' or the letter 'V.'

"If such person so registered shall be challenged or disqualified, the party challenging shall assign his reason therefor, and thereupon one of said judges shall administer to him an oath to answer questions, and he shall be questioned by said judge or judges touching such cause of challenge and touching any other cause of his disqualifications, and may also be questioned by the person challenging him in regard to his qualifications and identity; but if a majority of the judges are of the opinion that he is the person so registered and a qualified voter his vote shall then be received accordingly. The vote of no one shall be received by said judges whose name does not appear upon the books of registration as a qualified voter."

Whether the provision as to numbering the ballot should be considered as mandatory or as merely directory it is not important to consider. Ordinarily, an honest voter ought not to be deprived of his vote by any dereliction on the part of the election officers, but where the action or inaction of election officers renders it impossible to ascertain the honest vote in a precinct, the whole return must be rejected. It seems incredible that 171 or 167 persons could have voted without noticing that their ballots were not numbered.

WARD 15, PRECINCT 6.

The poll book (p. 479) shows 140 persons to have voted. The opening of the ballot box (p. 753) disclosed 139 ballots. Ninety-three of these (including 4 duplications) bore Butler's name. The returns give him 95. Fifteen ballots

bore the initials of but one judge, whereas the law requires two. Thirty-two ballots cast for Butler, 16 for Wagoner, and 2 for Artz were not numbered as required by law. Four ballots were duplicated and counted for Butler. Notwithstanding the fact that the number of ballots found in the box is only one less than the number of persons whom the poll book shows to have voted, 52 names appearing upon the poll book as having voted were not found represented by ballots in the box when opened, their numbers being missing. It is impossible to ascertain whether the unnumbered ballots were cast by persons whose names appeared upon the poll book.

WARD 14, PRECINCT 10.

The poll book (p. 359) shows 469 persons to have voted in Ward 14, precinct 10. The opening of the ballot box (p. 748) disclosed 454 ballots. Of this number (including 72 duplications), 340 bore the name of Butler. The returns give him 383. Wagoner's ballots numbered 104. The returns give him 89. Forty-eight persons voted whose names did not appear on the printed registration list. Thirty-one ballots voted for Butler and 2 for Wagoner were not numbered as required by law. Four hundred and thirteen ballots bore the initials of but one judge, whereas the law requires two. If the poll book is correct, 140 persons voted in vain, as their ballots were not found in the box when opened. Even assuming that the 33 unnumbered ballots were cast by some of these persons, there would still be left 107 wholly disfranchised, as no ballots corresponding with their numbers were found in the box.

WARD 14, PRECINCT 6.

The poll book (p. 502) shows that 253 persons appeared and voted. The ballot box when opened was found to contain 244 ballots (p. 740). One hundred and eighty-five of these (including 31 duplications) bore Butler's name. The returns give him 190. Sixty-four ballots were cast by persons whose names did not appear on the printed registration lists. Eleven ballots bore the initials of but one judge, the law requiring two. Nine persons voted twice for Butler upon the same names and numbers. Twenty-two persons voted twice for him upon the same name and address, but with different numbers. There were missing from the ballot box the ballots of 16 persons who, according to the poll book, appeared and voted, no ballots bearing their numbers having been found therein.

WARD 14, PRECINCT 4.

The poll book for Ward 14, precinct 4, shows (p. 462) 230 persons to have voted. The opening of the ballot box (p. 802) showed 217 ballots therein. Of this number 171 (including 7 duplications) bore the name of Butler. The returns give him 179. Forty-five ballots for Wagoner were found in the box. The returns give him 49. Seventy-five ballots were cast by persons whose names do not appear upon the printed registration list. Seven persons voted twice for Butler upon the same names and numbers. Eleven ballots were missing from the box of persons who appeared and voted, according to the poll book.

WARD 14, PRECINCT 2.

The poll book for Ward 14, precinct 2, shows 235 persons to have voted (p. 352). The opening of the ballot box (p. 799) disclosed 230 ballots in the box. Of these 179 (including 4 duplications) bore Butler's name. The returns gave him 180. Forty-seven bore Wagoner's name. The returns give him 35. Eighty-five persons voted whose names are not on the registration list. Twenty-seven ballots bore the initials of but one judge, the law requiring two. Five ballots were cast for Butler by persons whose names do not appear upon the poll book. Four persons voted twice for Butler upon the same names and numbers. Ten ballots were missing from the box of persons whose names appeared upon the poll book as having voted.

WARD 13, PRECINCT 5.

The poll book shows 242 persons to have voted in Ward 13, precinct 5 (p. 373). The opening of the ballot box (p. 757) disclosed the presence therein of 239 ballots. Butler's name (including 12 duplications) appeared on 133; the returns give him 135. Wagoner's name appeared on 94; the returns give him 90. Twelve persons voted twice for Mr. Butler upon the same names and numbers. Twelve persons voted whose names were not on the printed registration list. Fifteen ballots were missing from the box of persons shown by the poll book to have voted.

WARD 7, PRECINCT 12.

The poll book (p. 486) shows 177 persons to have voted in Ward 7, precinct 12. The opening of the ballot box (p. 638) disclosed 83 ballots (including 2 duplications) bearing the name of Butler. The returns give him 92. Wagoner had 69. The returns give him 61. Eleven persons voted whose names were not on the registration list. Two persons voted twice for Butler upon the same names and numbers. There were missing from the box the ballots of 15 persons who, according to the poll book, appeared and voted.

WARD 6, PRECINCT 12.

According to the poll book (p. 390) there appeared and voted in Ward 6, precinct 12, 187 persons. The opening of the ballot box (p. 657) disclosed 170 ballots. Of this number, 104 (including 6 duplications) bore Butler's name. The returns give him 108. Wagoner had 69. The returns give him 61. Forty-four persons voted whose names were not on the printed registration list.

Seven ballots bore the initials of but 1 judge, the law requiring 2. Six persons voted twice for Butler upon the same names and numbers. Eleven ballots were missing from the box of persons who, according to the poll book, appeared and voted.

WARD 6, PRECINCT 8.

According to the poll book (p. 530) 372 persons voted in Ward 6, precinct 8. The opening of the ballot box (p. 628) disclosed 365 ballots. Of this number 308 (including 22 duplications) bore the name of Butler. The returns give him 339. Forty-eight were cast for Wagoner. The returns give him 32. Twenty-two persons voted twice for Butler upon the same names and numbers. Sixty-five persons voted whose names do not appear upon the printed registration list. There were missing from the box the ballots of 29 persons who, according to the poll book, appeared and voted.

WARD 14, PRECINCT 8.

According to the poll book 545 persons whose names are given appeared and voted in precinct 8, Ward 14 (p. 466). When the ballot box was opened there were found only 507 (p. 743). The ballots as found in the box show that 56 numbers were voted twice and counted for Butler each time. Including this duplication, there were found in the box 419 ballots bearing Butler's name. The returns give him 422. Forty-eight ballots were found bearing Wagoner's name. The returns give him 51. Two ballots were voted for Artz. The returns give him none.

One hundred and thirty-two persons who, according to the poll book, appeared and voted were not represented in the ballot box, the ballots bearing their numbers not having been found therein, viz: 19, 23, 47, 50, 60, 61, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 75, 76, 85, 93, 98, 115, 117, 120, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 146, 153, 162, 163, 166, 168, 173, 178, 181, 185, 194, 197, 198, 200, 201, 204, 205, 206, 207, 208, 209, 225, 227, 238, 245, 249, 251, 254, 269, 281, 298, 302, 303, 326, 331, 346, 356, 359, 361, 364, 366, 367, 372, 373, 377, 382, 381, 383, 394, 395, 396,

397, 398, 399, 400, 401, 418, 423, 437, 438, 448, 452, 453, 454, 455, 456, 457, 459, 460, 463, 463, 480, 481, 490, 492, 493, 494, 495, 496, 497, 498, 509, 516, 522, 524, 544, 545.

The names of 187 persons who voted in this precinct do not appear upon the printed registration list.

WARD 22, PRECINCT 1.

The printed registration list in Ward 22, precinct 1, contains the names and addresses of 205 persons. Contestee placed in evidence the certificate of the secretary of the board of election commissioners, giving what purports to be the names and addresses of 425 persons that appear "in the original registration book of Ward 22, precinct 1, of the city of St. Louis, Mo." This evidence is damning. Either there were additional names fraudulently added after the printed registration lists were issued, or else the names previously registered were fraudulently omitted from the printed lists given out to the public. Neither the incompetency nor ignorance of the clerks or of the officials can account for a discrepancy of 220 names in making out a list purporting to contain 425 names. The same discrepancy is manifest in other precincts, hundreds of persons having voted whose names were not upon the printed registration lists.

According to the poll book (p. 481) 406 persons appeared and voted at this precinct, being 201 more than the names appearing on the printed registration list and only 19 less than the total number registered according to the aforesaid certificate of the clerk. Whether compared with one or the other the percentage of voters to the total of registration is the largest on record, but even this record was beaten by the ballot box itself, which was found to contain 417 votes (p. 634). Of the votes found in the box 303 bore Butler's name. The kindly gentlemen who had charge of the election, however, were good enough to return 395 for him, showing some partiality as against Wagoner, whose 30 ballots found in the box were reduced by the returns to 8.

One hundred and eighty-seven persons whose names were not upon the printed registration list voted for Mr. Butler, and 9 of them voted twice upon the same numbers. Seventy-five persons who, according to the poll book, appeared and voted were not given representation in the ballot box, their ballots not being found therein.

WARD 4, PRECINCT 1.

In Ward 4, precinct 1, 231 persons appeared and voted, as shown by the poll book (p. 437), but only 219 ballots were found in the box. Of these 183 bore Butler's name. The returns gave him 197. Twenty-nine bore Wagoner's name. The returns gave him 26. Seventy-eight persons voted for Butler and 1 for Wagoner whose names were not on the printed registration list. Fourteen persons voted twice for Butler upon the same numbers, and their votes were all counted.

Thirty-one persons who, according to the poll book, appeared and voted were not represented in the ballot box; the ballots bearing their names were not found therein. Thirteen ballots counted for Butler bore the initials of but one judge, and 1 ballot counted for him was not initialed by either election judge, although the law requires that two judges shall have placed their initials thereon before it shall be deposited in the box.

Among other instances which tend to throw suspicion upon the integrity of the registration may be noted the fact that in this precinct 22 persons registered from 407 North Levee reached the place of registration in alphabetical order, but must have walked backward to do so, as the Zs arrived there first and the As last. All who voted voted for Butler. This remarkable incident shows careful prearrangement either upon the part of persons who honestly appeared in person and registered, as the law requires, or on the part of persons who fraudulently presented their names to dishonest registration officers.

WARD 14, PRECINCT 11.

According to the poll book (p. 317) 227 persons appeared and voted in Ward 14, precinct 11, but only 222 ballots were found in the box (p. 222). One hundred and forty-eight of these ballots, including 15 duplications, bore Butler's name; the return gives him 156. Sixty-four bore Wagoner's name; the return gives him 61. Forty-nine persons voted whose names were not on the printed registration list. Fifteen voted twice for Butler upon the same numbers, and 22 persons who, according to the poll book, appeared and voted were denied the privilege of having their ballots found in the box when the same was opened.

WARD 23, PRECINCT 4.

According to the poll book (p. 675) 225 persons appeared and voted in Ward 23, precinct 4; 252 ballots were found in the box. Of this number, 196, including 10 duplications, bore Butler's name; the returns generously gave him 206. Forty-one bore Wagoner's name; the returns gave him 37. Fifty persons voted whose names were not on the printed registration list. Twenty-seven ballots counted for Butler bore the initials of but one judge. Ten persons who voted for Butler did themselves the honor of voting twice each upon the same name and number, and all the ballots were counted.

Eighteen persons who, according to the poll book, appeared and voted in this precinct, were not represented by any ballot found in the box.

WARD 23, PRECINCT 9.

According to the poll book (p. 481) 290 persons appeared and voted. There were found in the box (p. 634) 289 ballots. Of these, 169 (including 29 duplications) bore Butler's name; the election returns gave him 192. Ninety-nine ballots bore Wagoner's name; the returns gave him 86. Forty-seven persons voted for Butler and 27 for Wagoner whose names were not on the printed registration list.

Twenty-nine persons each voted twice for Butler without the formality of changing either their names or numbers. Although the number of ballots in the box was but one less than the number of persons recorded in the poll book as having voted, nevertheless the ballots of 43 persons recorded as voting were not found in the box.

WARD 22, PRECINCT 12.

According to the poll book (p. 491) 267 persons appeared and voted in Ward 22, precinct 12. There were found in the ballot box (p. 819) only 261 ballots. Of this number, 140 (including 2 duplications) bore Butler's name; the generous election officers returned 138. Ninety bore Wagoner's name; the returns uncharitably reduced this to 65. Thirty persons voted for Butler and 11 for Wagoner whose names are not on the printed registration list. The opening of the ballot box failed to disclose any ballots cast by 22 different persons whose names appear on the poll book as having voted.

WARD 23, PRECINCT 7.

The poll book for Ward 23, precinct 7, shows that 106 persons appeared and voted (p. 520); the ballot box (p. 818) contained 175 ballots; 62 of these (including 8 duplications) bore Butler's name, but in the count he was generously awarded 111, while Wagoner's 82 was reduced to 75. Eight gentlemen were so kind to Mr. Butler as to duplicate their ballots for him. Eleven ballots shown by the poll book to have been cast were missing from the box when it was opened.

WARD 6, PRECINCT 3.

The poll book (p. 411) gives the names of 242 persons who voted in Ward 6, precinct 3. The opening of the ballot box (p. 655) discloses 300 ballots therein.

Of these 243 (including 16 duplications) were for Butler. The returns give him 250. Wagoner had 46 ballots in the box. The returns give him 28. Sixty persons voted in this precinct whose names do not appear upon the printed registration list.

Twelve persons voted twice for Butler on the same names and numbers, and 4 voted twice with the same names and addresses, but with different numbers. Fourteen ballots were missing from the box of persons who, according to the poll book, appeared and voted.

WARD 5, PRECINCT 4.

According to the poll book (p. 509) 531 persons voted in Ward 5, precinct 4. The opening of the ballot box (p. 631) showed 528 ballots therein.

Of this number 490 (including 54 duplications) bore Butler's name. The returns give him 490. Wagoner had 31 ballots in the box, but the returns give him 34.

Ninety-seven persons voted in this precinct whose names do not appear upon the printed registration list.

Forty-six persons voted twice for Butler on the same names and numbers, and 8 voted twice upon the same names and addresses, but upon different numbers.

There were missing from the ballot box the ballots of 50 persons shown by the poll book to have appeared and voted.

Eighty-six persons in this precinct registered from one building, 221 Elm street, apparently lined up at the registration office in alphabetical order, as did also, with some slight variations, 23 persons from 113 Sixth street; 63 persons registering from 20 Eighth street, probably by pure chance, presented themselves in alphabetical order without a break.

WARD 5, PRECINCT 2.

The poll book (p. 369) shows 253 persons to have voted in Ward 5, precinct 2. The opening of the ballot box (p. 812) showed 248 ballots in the box.

Of this number, 136 (including 16 duplications) bore Butler's name; the returns give him 141. Wagoner had 111 ballots; the returns give him 110.

Thirty-four persons voted whose names were not upon the printed registration list.

Sixteen persons voted twice for Butler on the same names and numbers. There are missing from the ballot box the ballots of 30 persons who, according to the poll book, appeared and voted.

WARD 4, PRECINCT 7.

According to the printed registration list there were 169 registered voters in Ward 4, precinct 7. Contestee, however, offered in evidence a certificate of the secretary of the board of election commissioners showing that "the original registration book of Ward 4, precinct 7," contained 676 names. Those facts disclose the enormity of the offense committed against honest registration in this district. The law absolutely requires that the name of every registered voter shall appear upon the printed lists published by the election commissioners.

After that time, when those lists are required to be printed, it is absolutely impossible for any name to be honestly added to the list, except of those who may have previously attempted to register and from the striking off of whose names appeals were taken by them to the board of election commissioners. The testimony of Mr. Aloe, one of the election commissioners, is to the effect that in the whole city of St. Louis there were not more than 40 of such appeals. Yet in this precinct the printed registration lists show only 169, while it is now made to appear that in the election commissioners' office there was a list of 676 registered persons.

The same state of affairs to a greater or less degree appears throughout most of the contested precincts. In this case it certainly could not have been the result of accident, and is explainable only upon one of two theories. First, that the registration list was illegally padded after the printed lists were made public, or else that the printed lists designedly omitted the greater portion of the names which had been registered so as to render impossible, or at least unlikely, the detection of false registration.

The poll book (p. 453) shows 416 persons to have voted in this precinct. The opening of the ballot box (p. 732) discloses 407 ballots.

Of these, 347 (including 14 duplications) bore Butler's name. The returns give him 350. Wagoner had 51 ballots in the box. The returns give him 6.

Thirty-six persons voted whose names were not on the printed registration list.

Fourteen persons voted twice for Mr. Butler upon the same names and numbers.

There were missing from the box the ballots of 27 persons, who, according to the poll books, appeared and voted.

WARD 4, PRECINCT 6.

According to the poll book (p. 347), 163 persons appeared and voted in Ward 4, precinct 6. The opening of the ballot box (p. 730) discloses 185 ballots therein.

Of these, 122 (including two duplications) bore Butler's name. The returns give him 130. Twenty-nine votes were cast whose names were not on the printed registration list.

Fifty-nine ballots bore the initials of but one judge, the law requiring two. Two persons voted twice upon the same names and numbers.

There were missing from the box the ballots of 12 persons who, according to the poll book, appeared and voted.

WARD 4, PRECINCT 4.

According to the poll book (p. 450), there appeared and voted 283 persons. The opening of the ballot box (p. 786) disclosed exactly 283 ballots therein, of which number 193 (including 17 duplications) bore the name of Butler; the returns, however, gave him 204 and Wagoner 65, making a total of 269, or 6 ballots more than there were in the box.

Nine persons voted twice upon the same names and numbers, and 8 others voted twice upon the same names and addresses, but upon different numbers. There were missing from the ballot box the ballots of 7 persons who, according to the poll book, appeared and voted.

Thirty-eight persons voted whose names were not upon the printed registration lists; 2 ballots cast for Butler were not numbered, 7 bore the initials of but one judge, the law requiring two.

In this case, again, we have three instances of large bodies arriving at the registration office in alphabetical order. From 619 Morgan street, 16 persons arriving at the place of registration in alphabetical order, the B's getting there first and the other letters in proper order. But in the case of the 43 who made the race from 823 North Sixth street the W's got there first, followed in proper order by all the others, the A's being last, as was the case with 24 from 801 North Sixth street. All those who voted from the three numbers above mentioned voted for Butler, save Charles Baker, from 801 North Sixth street; but that defection was balanced by John Clark, from 803 North Sixth street, who voted twice for Butler.

WARD 4, PRECINCT 3.

The poll book (p. 446) shows 278 persons to have voted in Ward 4, precinct 3. The opening of the ballot box (p. 784) disclosed 264 ballots in the box.

Of this number, 216 (including 18 duplications) bore Butler's name. The returns gave him 215. Eighty-three persons voted whose names were not upon the printed registration list.

Eighteen persons voted twice upon the same names and numbers. There were missing from the box the ballots of 35 persons who, according to the poll book, appeared and voted.

The entire 55 voters from North Seventh street reached the place of registration in alphabetical order, although living in different houses. So far as they voted at all they voted for Butler.

WARD 5, PRECINCT 7.

According to the poll book (p. 475) 287 persons appeared and voted in Ward 5, precinct 7. The opening of the ballot box (p. 658) disclosed 318 ballots therein. Of this number, 218 (including 10 duplications) bore Butler's name. Although the duplications were included in the 218, the return judges appeared to have added them again, as the returns show 228.

Thirty-six persons voted whose names were not on the printed registration list.

Eighteen persons voted twice for Butler on the same names and numbers. Twenty-eight ballots cast for Butler and 3 for Wagoner were not initiated as according to law; 20 ballots bore the initials of one judge, while the law requires two; 8 bore no initials at all.

Thirty-six ballots were missing from the box of persons shown by the poll book to have appeared and voted.

In this precinct 33 persons registering from 5 North Ninth street reached the place of registration in precise reversed alphabetical order, and so far as they voted all voted for Butler, some of them more than once.

WARD 4, PRECINCT 2.

The poll book (p. 440) shows 488 persons to have appeared and voted. The opening of the ballot box (p. 780) disclosed 486 ballots therein. Of this number 472 (including 45 duplications) bore Butler's name. The returns gave him 471. Wagoner had 14 ballots in the box. The returns gave him 17. Three hundred and thirty-two persons voted in this precinct whose names were not on the printed registration list. Forty-five persons voted twice upon the same names and numbers. There were missing from the ballot box the ballots of 48 persons who, according to the poll book, appeared and voted.

The fact that 31 persons, mostly Irish, registered from one building, 1038 Third street, in this precinct, arrived at the place of registration in reverse alphabetical order is not more remarkable than that 39 others, mostly Italians, registering from 615 Franklin avenue, by a singular coincidence, arrived in precisely the same order. Assuming that each one of these persons did appear personally for registration, as the law requires, these coincidences would be remarkable, but upon the not very violent assumption that if there were such persons actually in existence, which may be fairly doubted, their names were handed by designing persons to registration officers anxious to assist in false registration for the purposes of the election, the case is not unusual. It is perhaps not singular that every vote cast from the two houses above named were cast for Butler.

WARD 23, PRECINCT 12.

According to the poll book (p. 432) 247 persons appeared and voted in Ward 23, precinct 12. The opening of the ballot box (p. 821) disclosed 388 ballots therein. Two hundred and seventy-six of these (including 29 duplications) bore Butler's name. The returns gave him 287. Wagoner had 55. The returns gave him 53. Ninety-five persons voted whose names were not on the printed registration list. Twenty-nine voted twice upon the same names and numbers. There were missing from the ballot box the ballots of 54 persons who, according to the poll book, appeared and voted, while there appeared in the ballot box 94 ballots for Butler bearing numbers not entered in the poll book at all.

These ballots were numbered as follows: 248, 249, 250, 2 numbered 252, 2 numbered 253, 2 numbered 254, 2 numbered 255, 256, 257, 259, 260, 261, 2 numbered 262, 263, 2 numbered 265, 267, 269, 270, 271, 273, 2 numbered 275, 280, 290, 291, 292, 293, 294, 295, 2 numbered 296, 2 numbered 297, 298, 299, 300, 301, 2 numbered 308, 309, 311, 2 numbered 312, 329, 330, 3 numbered 335, 336, 339, 2 numbered 340, 341, 348, 2 numbered 349, 350, 353, 355, 356, 357, 361, 362, 367, 369, 383, 386, 389, 2 numbered 390, 2 numbered 391, 395, 396, 2 numbered 398, 400, 401, 2 numbered 402, 407, 409, 410, 411, 412, 413, 414, and 415. There were found in the box 13 ballots for Wagoner on numbers not appearing in the poll book.

WARD 5, PRECINCT 6.

The poll book (p. 516) records 253 persons as having appeared and voted in Ward 5, precinct 6. The opening of the ballot box (p. 757) disclosed 252 ballots in the box. Of this number, however, 11 were duplicates. No. 52 voted once for Wagoner and once for Butler; No. 54 twice for Butler; No. 88 twice for Butler; No. 199 twice for Butler; No. 231 twice for Butler; No. 235 once for Butler and once for Wagoner; No. 245 twice for Butler; No. 250 twice for Butler; No. 135 once for Butler and once for Wagoner; No. 148 twice for Butler; No. 168 once for Butler and once for Wagoner.

There were missing from the ballot box 16 ballots of persons who were entered on the poll book as having appeared and voted. Thirty-five ballots were cast by persons whose names do not appear on the printed registration list. There is abundant evidence that the return from this precinct is wholly unreliable. As bearing upon that fact, it may be noted that 30 persons were registered from 815 Walnut street; that every person who voted from that house cast his ballot for Butler is not so remarkable as that upon appearing for registration they appear to have arrived in alphabetical order.

WARD 5, PRECINCT 1.

The poll book (p. 473) shows 154 persons to have appeared and voted in Ward 5, precinct 1. The opening of the ballot box (p. 806) disclosed 154 ballots in the box. The judges in their return accounted for just 154 ballots, although in doing so they gave 14 to Artz, whose name appeared upon only 2 ballots in the box. There were missing from the box the ballots of 6 persons whose names appeared on the poll book as having voted. Ballot No. 4 was voted twice for Butler; No. 97 once for Butler and once for nobody; No. 109 twice for Butler; No. 111 once for Butler and once for Wagoner; No. 118 once for Wagoner and once for nobody. Twenty-eight persons voted in this precinct whose names were not upon the printed registration list.

WARD 5, PRECINCT 9.

According to the poll book (p. 319) 223 persons appeared and voted in Ward 5, precinct 9. The opening of the ballot box (p. 660) disclosed 213 ballots in the box. The judges returned 223, viz, 145 for Butler, 71 for Wagoner, and 7 for Artz. It is worthy of remark that in returning 10 ballots more than were found in the box the judges nevertheless made their return to correspond, so far as numbers were concerned, precisely with the poll book, although 5 ballots found in the box bore nobody's name for Congress for the short term and 5 others were duplicated, viz, ballot No. 16, once for Wagoner and once for nobody; Nos. 24, 41, 84, and 207 were each voted twice for Butler, while there

are entirely missing from the ballot box the ballots of 20 persons whose names appeared on the poll book. Thirty-two persons voted in this precinct whose names do not appear on the printed registration list.

WARD 22, PRECINCT 13.

The poll book (p. 429) gives the names and addresses of 228 persons who appeared and voted in Ward 22, precinct 13. The opening of the ballot box (p. 641) disclosed 227 ballots therein. Of this number, 97 (including duplications) bore the name of Butler, but the return gives him 115. The return accounts for 233 votes—6 more than were in the box. Of those in the box, No. 10 was voted once for Butler and once for Wagoner; No. 20, once for Wagoner and once for nobody; No. 21, once for Wagoner and once for Butler; No. 107, twice for Wagoner; No. 141, twice for Butler; No. 156, once for Butler and once for nobody; No. 213 was voted three times for Butler. There were missing from the box the ballots of 13 persons whose names appear on the poll book as having appeared and voted. Seventeen persons voted in this precinct whose names do not appear on the printed registration list.

WARD 23, PRECINCT 3.

The poll book (p. 379) shows the names of 253 persons who appeared and voted in Ward 23, precinct 3. The ballot box (p. 670) contained 251 ballots, divided as follows: Butler, 184; Wagoner, 56; Artz, 2; voted for nobody for Congress, 9. The judges returned 202 for Butler, 51 for Wagoner, and none for Artz. They accounted for 2 more ballots than there were in the box, although 5 of those in the box were duplicates, No. 34 having voted twice for Butler, No. 55 once for Butler and once for nobody, No. 118 once for Butler and once for Wagoner, No. 136 once for Reynolds and once for Wagoner, and No. 192 once for Butler and once for Wagoner.

The judges, it will be noted, returned just as many votes as there were names on the poll book, notwithstanding the duplication noted and notwithstanding the fact that there were no ballots in the box to correspond with the numbers of 5 persons whom the poll book shows to have voted. Sixty-one persons voted in this precinct whose names do not appear on the printed registration list.

WARD 5, PRECINCT 5.

The poll book (p. 422) gives the names and addresses of 231 persons who appeared and voted in Ward 5, precinct 5. The opening of the ballot box (p. 754) showed 229 ballots. No. 384 appeared three times for Butler and Nos. 129 and 190 each twice for Butler. Including these two duplications and one triplication 188 ballots bore the name of Butler. The judges returned 192 in his favor, and deducting 2 from the actual ballots cast for Wagoner, gave him 30.

It is peculiarly noticeable that the poll book, which is required to be kept in duplicate, shows curious results, Nos. 23 to 60, both inclusive, registering entirely different in the two copies of the poll book (p. 423). Thus, in one book the twenty-eighth person who voted was Charles J. Carey, while in the other book No. 28 was J. P. O'Hara. No. 48 in one book was R. O'Day, while in the duplicate poll book F. McCarthy appears to have been the forty-eighth man to vote. No. 38 in one book was Joseph Toomey, while in the duplicate book O. Woods responded to that number.

The registration list of this precinct shows 40 names registered from 509 Spruce street, a goodly number to register from one house. Moreover, they are registered in alphabetical order. What is still more remarkable, this alphabetical arrangement is reversed, so that the names read alphabetically upward instead of downward. The law of Missouri requires that an intending voter must appear in person for the purpose of registration. If the same conditions were not observed in other districts it might be considered remarkable that 40 men, all from the same house, should appear and register in the precise order in which their initial letters appear in the alphabet reversed, so as to run from W to B instead of from B to W.

The frequent recurrence of such instances, coupled with other facts known as to the lack of integrity in these registration proceedings, gives moral certainty to the proposition that instead of appearing for registration these 40 real or mythical persons were represented by some kind friend who merely handed their names on a slip of paper to the amiable person in charge of the registration, arranging them alphabetically for purposes of greater convenience in subsequent proceedings. Nearly every one of these 40 persons thus registered in backward alphabetical order appeared upon election day and voted. Whether or not they voted early does not appear, but they certainly voted often; at least more than once.

The poll book shows one vote to have been cast by John Bernard and another by J. Bernard; one by P. Douglas and another by Peter Douglas; one by James Clark and another by J. Clark; one by Thomas Williams and another by T. Williams; one by Ed Ryan and another by E. Ryan; one by F. McCarthy and another by Frank McCarthy. With so many instances of similarity of names of persons appearing and voting from the same house does not appear to have attracted the attention of the election officers of this precinct. Nor does it seem to have interested them that J. Toomey should vote from 509 Spruce and Joseph Toomey from the adjoining house, 507.

It must have pleased these election officers to note that, notwithstanding the factional differences elsewhere, the alphabetically registered voters with entire unanimity cast their votes for Mr. Butler. Many other singular coincidences in connection with this precinct would have led less suspecting persons than these innocent election officers to the irresistible conclusion that the entire registration proceedings was a fraud and a swindle, intended to help the manifest repeating and false personation in progress at the election.

WARD 15, PRECINCT 1.

The poll book (p. 418) shows that 138 persons appeared and voted. The opening of the ballot box (p. 811) disclosed 178 ballots therein. Not one of these ballots was numbered as required by law, and it was therefore impossible, by comparison with the poll book or by any other means, to tell what ones, if any of them, had been deposited by persons entitled to vote, or what ones, if any, had voted more than once upon the same name and number.

Although there was 131 ballots in the box bearing the name of Mr. Butler, the returns for some reason gave him 103 and Mr. Wagoner 41. The absence of numbers from the ballots is not only of itself illegal but presumptive evidence of further frauds, which is accentuated by the finding in the ballot box of so many more ballots than the poll books show of persons to have voted.

To what extent other frauds were perpetrated in this precinct the absence of numbers from the ballots renders it impossible to determine.

WARD 24, PRECINCT 12.

The poll book (p. 549) showed 337 persons to have voted. The opening of the ballot box (p. 767) disclosed 380 ballots therein. Twenty-four of these ballots were not voted for anybody for Congress for the short term. Fourteen ballots were duplicates, the same persons voting twice upon the same name and number. Two hundred and seven ballots bore Butler's name. Thirty-five persons voted whose names are not on the printed registration list. The returns gave Butler 138. One hundred and fifty ballots bore Wagoner's name. The returns reduced him to 100.

WARD 4, PRECINCT 5.

According to the poll book (p. 312) 355 persons appeared and voted. The opening of the ballot box (p. 783) disclosed 322 ballots therein. Of this number, 250 (including 14 duplications) bore Butler's name. The charitably disposed election officers returned 324 for him and 24 for Wagoner, or a total of 348, being 26 more ballots than there were in the box.

Sixty-seven persons voted in this precinct whose names were not on the printed registration lists.

There were two ballots numbered "10," one for Butler and one for Wagoner. Ballots numbered 40, 60, 114, 165, 251, 263, 294, 326, 331, 337, 348, 27, and 245, for Butler, were duplicated in the box.

There were missing from the ballot box the ballots of 101 persons whose names were entered in the poll book as having appeared and voted.

WARD 5, PRECINCT 3.

The poll book gives the names of 303 persons who appeared and voted. Three hundred and two ballots were found in the box.

Of this number, 237 (including 22 duplications) bore Butler's name; the returns gave him 224, Wagoner 63, and Artz 2. The box contained two ballots numbered 19, both for Butler; two ballots numbered 27, one for Butler and one for Wagoner; two numbered 28, one for Butler and one for Wagoner; four ballots numbered 32, three for Butler and one for Wagoner; two numbered 72, both for Butler; two numbered 68, one for Butler and one for Wagoner; two numbered 124, one for Butler and one for Wagoner; two numbered 138, both for Butler; two numbered 148, both for Butler; two numbered 163, both for Butler; four numbered 171, three times for Butler and one for Wagoner; three numbered 177, one for Butler and one for Wagoner; two numbered 187, twice for Butler; two numbered 188, one for Butler and one for Wagoner; two numbered 204, twice for Butler; two numbered 213, twice for Butler; two numbered 230, twice for Butler; two numbered 283, twice for Butler; two numbered 285, twice for Butler; three numbered 287, one for Butler and two for Wagoner; two numbered 290, twice for Butler.

Thirty-seven ballots were missing from the box of persons whose names were entered on the poll book as having appeared and voted.

There was such manifest fraud and gross irregularity in each one of these 41 precincts that it is absolutely impossible to ascertain what votes, if any, were honestly cast or honestly counted. We therefore reject these 41 returns entirely.

PRECINCTS NOT DISTURBED.

Some of your committee think that, in view of the evidence of general fraud permeating the entire election system, the entire vote in the 63 contested precincts should be thrown out, but there are a number of precincts in which, although there are manifest irregularities, nevertheless they would not, standing by themselves, warrant the throwing out of the entire precinct without a more thorough analysis of the testimony than is possible under the resolution requiring your committee to report in time for the disposition of this case before the adjournment of the present Congress.

We have concluded, therefore, not to disturb the returns from the following precincts, viz:

Ward 5, precinct 9; Ward 5, precinct 10; Ward 6, precinct 1; Ward 13, precinct 6; Ward 13, precinct 7; Ward 13, precinct 12; Ward 14, precinct 1; Ward 14, precinct 3; Ward 14, precinct 5; Ward 14, precinct 7; Ward 14, precinct 9; Ward 15, precinct 9; Ward 15, precinct 11; Ward 23, precinct 3; Ward 23, precinct 1; Ward 23, precinct 2; Ward 23, precinct 6; Ward 23, precinct 7; Ward 24, precinct 1; Ward 24, precinct 11; Ward 24, precinct 13; Ward 25, precinct 1.

With the exception of precinct 9 of Ward 14, which gave contestant a plurality of 15, all those precincts gave majorities for Mr. Butler. If anybody is injured by our lack of time to further consider and analyze the results in these undisturbed precincts, it is the contestant. Certainly the contestee can not complain.

The following is a summary of the precincts thrown out, and the vote in each:

Ward.	Precinct.	Votes for Butler.	Votes for Wagoner.
4	9	237	21
23	13	362	69
22	5	332	70
15	10	98	61
15	6	95	42
14	10	883	89
14	6	190	55
14	4	179	49
14	2	180	25
13	5	135	90
7	12	92	61
6	12	108	61
6	8	339	32
14	8	492	51
22	1	385	8
4	1	197	26
14	11	156	61
23	4	206	37
22	9	192	86
22	12	193	65
22	7	111	75
6	3	250	28
5	4	496	34
5	2	141	110
4	7	350	6
4	6	130	27
4	4	204	65
4	3	215	43
5	7	228	58
4	2	471	17
23	12	287	53
5	6	189	57
5	1	100	40
5	9	145	71
22	13	115	111
23	3	202	51
5	5	192	30
15	1	106	41
24	12	198	100
4	5	324	24
5	3	224	69
Total		9,239	2,179

Butler votes thrown out	9,239
Wagoner votes thrown out	2,179
Butler's total returned vote in district	16,844
Deduct votes rejected as above	9,239
Butler's vote on recount	7,605
Wagoner's total returned vote in district	10,551
Deduct votes rejected as above	2,179
Wagoner's vote on recount	8,372
Wagoner's majority over Butler	767

Your committee has no hesitation in reporting that Mr. Wagoner was fairly elected and is entitled to his seat, and therefore recommends the adoption of the following resolutions, viz:

"Resolved, That James J. Butler was not elected a Representative in the Fifty-seventh Congress from the Twelfth Congressional district of Missouri, and is not entitled to a seat therein."

"Resolved, That George C. R. Wagoner was elected a Representative in the Fifty-seventh Congress from the Twelfth Congressional district of Missouri, and is entitled to a seat therein."

M. E. OLMSTED, Chairman.

J. M. MILLER.

F. D. CURRIER.

JOHN W. DWIGHT.

GEO. SUTHERLAND.

During the reading of the report the following occurred:

Mr. UNDERWOOD. Mr. Speaker, I rise to a point of order. This is a very important case and involves a very important question.

The SPEAKER. The gentleman will state his point of order.

Mr. UNDERWOOD. It is important that we should hear the report and I think we ought to have a quorum of the House present. The point of order that I make is that there is not a quorum of the House present to transact business; that this consideration of this report is a part of the business of the House; that it is an important report, one which is not printed and which the House should understand, and I think a quorum should be present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present?

Mr. UNDERWOOD. Yes.

The SPEAKER. That is sufficient. The Chair will count. [After counting.] One hundred and fifty-five present, not a quorum.

Mr. PAYNE. Mr. Speaker, I move a call of the House.

The SPEAKER. The question is on the motion of the gentleman from New York, who moves a call of the House.

The question was taken.

Mr. UNDERWOOD. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 106, noes 27.

So a call of the House was ordered.

The Clerk proceeded to call the roll, when the following members failed to answer to their names:

Adams,	Davis, Fla.	Kyle,	Ruppert,
Aplin,	Dinsmore,	Lassiter,	Russell,
Babcock,	Dougherty,	Latimer,	Schirm,
Ball, Tex.	Douglas,	Lewis, Ga.	Selby,
Bankhead,	Eddy,	Lewis, Pa.	Shackelford,
Bartholdt,	Edwards,	Little,	Shafroth,
Bellamy,	Fitzgerald,	Littlefield,	Shallenberger,
Belmont,	Flanagan,	Livingston,	Showalter,
Benton,	Flood,	McAndrews,	Skiles,
Billmeyer,	Foerderer,	McCall,	Slayden,
Bingham,	Foster, Ill.	McCleary,	Small,
Blackburn,	Foster, Vt.	McCulloch,	Smith, Wm. Alden
Blakeney,	Fox,	McDermott,	Snodgrass,
Boutell,	Gaines, Tenn.	McRae,	Snook,
Bowie,	Gardner, Mass.	Mahoney,	Southard,
Brantley,	Gilbert,	Maynard,	Sparkman,
Breazeale,	Glass,	Metcalf,	Spight,
Bristow,	Glenn,	Meyer, La.	Stephens, Tex.
Bromwell,	Goodch,	Mondell,	Stewart, N. J.
Broussard,	Gordon,	Morris,	Storm,
Brundidge,	Green, Pa.	Moss,	Swann,
Burgess,	Griffith,	Mutchler,	Swanson,
Burkett,	Griggs,	Naphen,	Talbert,
Burleson,	Haskins,	Nevin,	Taylor, Ohio
Burnett,	Hay,	Newlands,	Taylor, Ala.
Caldwell,	Henry, Miss.	Norton,	Thompson,
Clark,	Hildebrandt,	Padgett,	Tompkins, N. Y.
Clayton,	Hughes,	Patterson, Tenn.	Trimble,
Cochran,	Jackson, Kans.	Pearre, Md.	Vandiver,
Connell,	Jackson, Md.	Pierce, Tenn.	Wachter,
Conry,	Jenkins,	Pou,	Wadsworth,
Cooney,	Jett,	Randall,	Wheeler,
Cooper, Tex.	Johnson,	Reeder,	White,
Cooper, Wis.	Joy,	Rhea,	Wiley,
Cowherd,	Kahn,	Rixey,	Wilson,
Creamer,	Kern,	Robertson, La.	Wooten,
Crowley,	Kieberg,	Robinson, Nebr.	Wright,
Davey, La.	Knox,	Rucker,	

The SPEAKER. On the roll call 195 members have responded to their names, so that a quorum is present. The doors will be opened by the officers of the House, and the reading will proceed.

The Clerk proceeded with the reading of the report.

Mr. FEELY (interrupting the reading). Mr. Speaker, I ask unanimous consent that the further reading of the report be dispensed with, and that the minority of the committee have until after the adjournment to-morrow evening to present their views, and that an agreement be made not to call up this case for disposal until after to-morrow.

The SPEAKER. The gentleman from Illinois asks unanimous consent to dispense with the further reading of the report, and that the minority have until after the adjournment to-morrow night to file the views of the minority, with the understanding that the case will not be called up until such views are filed, after to-morrow. Is there objection?

Mr. OLMSTED. Mr. Speaker, I shall certainly object unless there is coupled with that the understanding that the entire report, which has now been partially read, shall be printed in the RECORD.

Mr. FEELY. There is no objection to that.

Mr. OLMSTED. I wish to state—

The SPEAKER. Let the Chair submit these things in their proper order.

Mr. OLMSTED. Well, reserving the objection—

The SPEAKER. Pending that—

Mr. OLMSTED. Yes.

Mr. RICHARDSON of Tennessee. Mr. Speaker, the gentleman from Illinois desires, when he files the views of the minority to-morrow, that they be printed in the RECORD on the following morning, so that if the case is called up thereafter we shall have the views of both the majority and minority.

Mr. OLMSTED. I desire to state, Mr. Speaker, that this case was not called up for consideration. I simply, by direction of the committee, presented the report in order that it might be printed.

Mr. RICHARDSON of Tennessee. We had our understanding also, and if the gentleman desires to make any statement we desire also to make a statement. We have come to this agreement, and if we are going to stand by it we had better do so.

The SPEAKER. Is there objection to the request as stated by the gentleman from Illinois?

Mr. OLMSTED. I would like to make a statement, reserving my objection. I was unable to hear exactly what the gentleman from Tennessee said. I want to say I stated, before this report was presented, to the gentleman from Illinois that so far as I was concerned or could control it there might be permission that the minority report might be filed at any time before adjournment to-morrow, and that I did not expect to call up the case to-morrow and should not unless forced by some order of business which I could not foresee. It was not my intention to call it up to-morrow, and therefore I hope there will be no objection to the request of the gentleman from Illinois.

Mr. FEELY. Mr. Speaker, before the question is put, I desire to state I requested the gentleman from Pennsylvania that the minority might be allowed to file their views by to-morrow night, and further urged an agreement that the case should not be called up to-morrow, which latter he said he could not make.

Mr. OLMSTED. Although I did state it was not my intention to call it up. One more suggestion. If I correctly understand the gentleman from Illinois, his request was that the case should not be called up until the minority report had been filed. I understand that he means by that that it will not be called up to-morrow, and that the report will be presented to-morrow.

The SPEAKER. That is the understanding in the case.

Mr. OLMSTED. With that understanding—

Mr. RICHARDSON of Tennessee. And be printed in the RECORD the next morning.

The SPEAKER. And with the right to print it in the RECORD of the next day.

Mr. OLMSTED. With that understanding, I trust the request will be granted.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ARMY APPROPRIATION BILL.

Mr. HULL submitted the following report and statement of the conferees on the Army appropriation bill, to be printed in the RECORD under the rule:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16567) making appropriations for the support of the Army for the fiscal year ending June 30, 1904, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 20, 23, 27, 28, 33, 39, 40, 43, 44, 45, and 46.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 24, 25, 26, 29, 31, 32, 34, 35, 36, 37, 40, 42, 47, 48, 49, 50, 51, 52, and 53, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In line 3 of said amendment strike out the word "appointed" and insert in lieu thereof the word "enlisted;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lines 6 and 7 of said amendment strike out the following: "as military attachés at the United States embassies and legations abroad; and;" and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: At the end of said amendment insert the following proviso: "Provided, That all volunteer officers now in the Porto Rico Provisional Regiment shall be mustered out on June 30, 1904, and their places be filled by detail from the line of the Army: Provided further, That any vacancy now existing or which may occur between now and June 30, 1904, shall be filled by detail from the line of the Army;" and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: Strike out lines 1 to 11, inclusive, of said amendment, and at the end of said amendment insert the following: "Provided further, That not more than \$40,000 of the above appropriation shall be expended at any one post or station;" and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Strike out the word inserted by said amendment and insert in lieu thereof the word "fifteen," and after the word "million," in line 20, page 29 of the bill, insert the words "five hundred thousand;" and the Senate agree to the same.

Your committee of conference report a disagreement on amendment numbered 3.

J. A. T. HULL,
A. B. CAPRON,
JAMES HAY,
Managers on the part of the House.
REDFIELD PROCTOR,
J. V. QUARLES,
F. M. COCKRELL,
Managers on the part of the Senate.

STATEMENT.

The conferees on the part of the House on the disagreeing vote of the two Houses on the bill making appropriations for the Army for the fiscal year ending June 30, 1904, make the following statement:

Amendments Nos. 1 and 2 refer to the chief of staff, and are made necessary by the bill for the reorganization of the Army.

Amendment No. 4 applies only to the purchase of newspapers by the military information division, and is in line with the legislation enacted by the House.

Amendment No. 5 makes the same provision for equipment of the Signal Corps, now applying to other officers, to waive advertisement for small purchases.

Amendment No. 6 simply corrects a mistake.

Amendments Nos. 7 and 8 simply change the language without changing the intent.

Amendments Nos. 10, 11, 12, and 13 simply refer to the chief of staff, and are made necessary by the legislation passed creating a general staff corps.

Amendments Nos. 14, 15, 16, 17, and 18 refer to the Signal Corps.

Amendment No. 21 extends the provision as to double service for war service to those that served in China now accorded to those who served in Porto Rico, Cuba, and Philippine Islands.

Amendment No. 22 refers to soldiers' deposits and is simply a verbal change.

Amendment No. 24 gives mileage to contract surgeons same as other officers.

Amendment No. 25 simply makes a verbal change.

Amendment No. 26 increases pay of the computer for the Artillery Board \$500 per annum.

Amendment No. 29 refers to the abolition of the Porto Rico Regiment.

Amendment No. 31 is simply a verbal change.

Amendment No. 32 places in the discretion of the Secretary of War where ice to enlisted men should be furnished.

Amendment No. 34 refers to office furniture, etc., for the use of officers' schools at the several military posts.

Amendment No. 35 makes provision for the sale of horses owned by officers to the Government when the officer is ordered to duty beyond the seas.

Amendment No. 36 makes immediately available \$2,000,000 out of the appropriation for barracks and quarters.

Amendment No. 37 makes immediately available the appropriation for the purchase of additional ground in Omaha.

Amendment No. 40 makes the amount immediately available.

Amendment No. 42 increases the amount for clothing and garrison equipment \$750,000.

Amendment No. 47 refers to the jurisdiction of the Chief of Engineers.

Amendment No. 48 relates to furnishing national trophy and medals for the Regular Army and the National Guard for expert rifle shooting, and also an appropriation of \$2,000,000 for the militia of the States.

Amendment No. 49 refers to purchases by the Ordnance Department, and requires them to be reported to the Secretary of War.

Amendments Nos. 50, 51, 52, and 53 relate to change in the law governing the detail of officers for the Ordnance Department.

In all the foregoing amendments the House recedes from its disagreements.

Amendment No. 20 relates to the advancement of certain officers of the Army to an additional grade.

Amendment No. 23 extends the provision for deposit with the Government to officers of the Army.

Amendment No. 27 relates to injuries at Fort H. G. Wright, N. Y.

Amendment No. 28 relates to damages at Fort Preble, Me., and other places.

Amendment No. 33 increases the appropriation for regular supplies of the Quartermaster's Department \$500,000.

Amendment No. 39 increases appropriations for barracks and quarters in Philippine Islands, \$250,000.

Amendment No. 40 makes the amount immediately available.

Amendment No. 43 relates to the purchase and preservation of the battlefield at Balls Bluff.

Amendments Nos. 44, 45, and 46 relate to the payment of medical expenses of soldiers on furlough after the 21st of April, 1898.

From all of which amendments the Senate recedes.

Amendment No. 9 relates to master electricians, and the House recedes from its disagreement and agrees to the same with the amendment striking out the word "appointed" and inserting the word "enlisted."

Amendment No. 19 relates to the detail of retired officers as military attachés and for service in connection with the organized militia of the States and Territories. The House recedes from its disagreements and agrees to the amendment with an amendment striking out all relating to the service of retired officers at embassies and legations abroad, and confining their services to this country with the organized militia of the States and Territories upon request of the governors.

Amendment No. 30 makes provision for the continuance of the Porto Rican

Regiment of Infantry, and the House recedes from its disagreement and agrees to the Senate amendment with an amendment providing that all volunteer officers now in the regiment shall be mustered out on the 30th of June, 1904, so as to extend the present organization another year.

Amendment No. 38 appropriates money to purchase heavy furniture for permanent officers' quarters, for the payment of special assessment against the military reservation at Indianapolis, Ind., and an appropriation for the continuance of the construction and maintenance of post exchanges. The House recedes from its disagreement and agrees to the amendment with an amendment eliminating all appropriations for heavy furniture and for the payment of a special assessment at Indianapolis, Ind., and agrees to \$500,000 for post exchanges with an additional proviso limiting the appropriation for post exchanges to \$40,000 for one post or station.

Amendment No. 41: The Senate amendment appropriated \$16,000,000 for the transportation of the Army and supplies, and the conferees agreed to \$15,500,000.

On amendment No. 3, which provides for purchase of Heitman manuscript, the conferees report a disagreement.

J. A. T. HULL,
A. B. CAPRON,
JAMES HAY,

Conferees on the part of the House.

ASSET CURRENCY.

Mr. FOWLER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16228.

The SPEAKER. The gentleman from New Jersey moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the national-bank bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BARTLETT. Division, Mr. Speaker.

The House divided; and there were—ayes 84, noes 39.

Mr. BARTLETT. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The Chair will count. [After counting.] One hundred and sixty-three present—not a quorum. The officers will close the doors of the House and the Clerk will call the roll. As many as are in favor of going into Committee of the Whole will vote "yea;" those opposed will vote "nay." Those present not wishing to vote will answer "present."

The question was taken; and there were—yeas 136, nays 58, answered "present" 20, not voting 137; as follows:

YEAS—136.

Adams,	Darragh,	Holliday,	Patterson, Pa.
Alexander,	Davidson,	Howell,	Payne,
Allen, Me.	Dick,	Hull,	Pearre,
Ball, Del.	Dovener,	Irwin,	Perkins,
Barney,	Draper,	Jack,	Powers, Me.
Bartholdt,	Dwight,	Jackson, Md.	Powers, Mass.
Bates,	Eddy,	Jones, Wash.	Prince,
Beidler,	Emerson,	Knapp,	Reeves,
Bishop,	Esch,	Kyle,	Roberts,
Blakeney,	Evans,	Lacey,	Shattuc,
Boreing,	Fletcher,	Landis,	Shelden,
Bowersock,	Fordney,	Lawrence,	Showalter,
Brandegee,	Foss,	Lessler,	Sibley,
Brick,	Fowler,	Littauer,	Smith, Iowa
Brown,	Gaines, W. Va.	Littlefield,	Smith, H. C.
Brownlow,	Gardner, Mass.	Long,	Smith, S. W.
Burk, Pa.	Gardner, Mich.	Loudenslager,	Smith, Wm. Alden
Burke, S. Dak.	Gardner, N. J.	Loving,	Southwick,
Burleigh,	Gibson,	McLachlan,	Sperry,
Burton,	Gill,	Mahon,	Steele,
Butler, Pa.	Gillet, N. Y.	Marshall,	Stevens, Minn.
Calderhead,	Gillett, Mass.	Martin,	Sulloway,
Cannon,	Graff,	Mercer,	Sutherland,
Capron,	Graham,	Miller,	Thomas, Iowa
Cassel,	Greene, Mass.	Minor,	Tompkins, Ohio
Combs,	Grosvenor,	Moody,	Van Voorhis,
Corlies,	Hamilton,	Morrell,	Vreeland,
Cousins,	Haskins,	Mudd,	Wadsworth,
Cromer,	Haugen,	Needham,	Warner,
Crumpacker,	Hedge,	Olmsted,	Warnock,
Currier,	Hemenway,	Otjen,	Watson,
Cushman,	Henry, Conn.	Overstreet,	Weeks,
Dahle,	Hepburn,	Palmer,	Woods,
Dalzell,	Hill,	Parker,	Young.

NAYS—58.

Bankhead,	Gordon,	Maddox,	Sheppard,
Bartlett,	Hay,	Mahoney,	Sims,
Brantley,	Hooker,	Mickey,	Slayden,
Burleson,	Howard,	Miers, Ind.	Smith, Ky.
Caldwell,	Johnson,	Moon,	Stephens, Tex.
Candler,	Jones, Va.	Padgett,	Swanson,
Cowherd,	Kehoe,	Randell, Tex.	Tate,
Crowley,	Kern,	Rhea,	Thomas, N. C.
De Armond,	Kitchin, Claude	Richardson, Ala.	Thompson,
Feely,	Kitchin, Wm. W.	Richardson, Tenn.	Trimble,
Fitzgerald,	Kluttz,	Robb,	Williams, Ill.
Flood,	Latimer,	Robinson, Ind.	Williams, Miss.
Gilbert,	Lester,	Rucker,	Zenor.
Goldfogle,	Lindsay,	Russell,	
Gooch,	Lloyd,	Shallenberger,	

ANSWERED "PRESENT"—20.

Acheson,	Deemer,	Mann,	Snodgrass,
Bellamy,	Elliott,	Morris,	Sparkman,
Creamer,	Henry, Tex.	Scott,	Tirrell,
Curtis,	Hitt,	Sherman,	Wachter,
Dayton,	McClellan,	Smith, Ill.	Wanger.

NOT VOTING—137.

Adamson,	Dinsmore,	Lever,	Ruppert,
Allen, Ky.	Dougherty,	Lewis, Ga.	Ryan,
Aplin,	Douglas,	Lewis, Pa.	Scarborough,
Babcock,	Driscoll,	Little,	Schirm,
Ball, Tex.	Edwards,	Livingston,	Selby,
Bell,	Finley,	Loud,	Shackelford,
Belmont,	Flanagan,	McAndrews,	Shafroth,
Benton,	Fleming,	McCall,	Skiles,
Billmeyer,	Foerderer,	McCleary,	Small,
Bingham,	Foster, Ill.	McCulloch,	Snook,
Blackburn,	Foster, Vt.	McDermott,	Southard,
Boutell,	Fox,	McLain,	Spight,
Bowie,	Gaines, Tenn.	McRae,	Stark,
Breazeale,	Glass,	Maynard,	Stewart, N. J.
Bristow,	Glenn,	Metcalf,	Stewart, N. Y.
Bromwell,	Green, Pa.	Meyer, La.	Storm,
Broussard,	Griffith,	Mondell,	Sulzer,
Brundidge,	Griggs,	Morgan,	Swann,
Bull,	Grow,	Moss,	Talbert,
Burgess,	Hanbury,	Mutchler,	Tawney,
Burkett,	Heatwole,	Naphean,	Taylor, Ohio
Burnett,	Henry, Miss.	Neville,	Taylor, Ala.
Butler, Mo.	Hildebrandt,	Nevin,	Thayer,
Cassingham,	Hopkins,	Newlands,	Tompkins, N. Y.
Clark,	Hughes,	Norton,	Underwood,
Clayton,	Jackson, Kans.	Patterson, Tenn.	Vandiver,
Cochran,	Jenkins,	Pierce,	Wheeler,
Connell,	Jett,	Pou,	White,
Conner,	Joy,	Pugsley,	Wiley,
Conry,	Kahn,	Ransdell, La.	Wilson,
Cooney,	Ketcham,	Reeder,	Wooten,
Cooper, Tex.	Kleberg,	Reid,	Wright.
Cooper, Wis.	Knox,	Rixey,	
Davey, La.	Lamb,	Robertson, La.	
Davis, Fla.	Lassiter,	Robinson, Nebr.	

So the motion was agreed to.

The following additional pairs were announced.

For the session:

Mr. MCCALL with Mr. MCCLELLAN.

Mr. WANGER with Mr. ADAMSON.

For the day:

Mr. MANN with Mr. JETT.

For the balance of the day.

Mr. BABCOCK with Mr. SULZER.

Mr. APLIN with Mr. BALL of Texas.

Mr. CONNER with Mr. CLAYTON.

Mr. COOPER of Wisconsin with Mr. DOUGHERTY.

Mr. HANBURY with Mr. FOSTER of Illinois.

Mr. HOPKINS with Mr. GRIFFITH.

Mr. MORGAN with Mr. MCCULLOCH.

Mr. LEWIS of Pennsylvania with Mr. MCANDREWS.

Mr. MOSS with Mr. NORTON.

Mr. STORM with Mr. RYAN.

Mr. WRIGHT with Mr. SNOOK.

Mr. KETCHAM with Mr. BELLAMY.

Mr. GROW with Mr. HENRY of Texas.

Mr. FOSTER of Vermont with Mr. POU.

On this vote:

Mr. HITT with Mr. DINSMORE.

Mr. STEWART of New York with Mr. SNODGRASS.

Mr. TAWNEY with Mr. UNDERWOOD.

Mr. HEATWOLE with Mr. LEWIS of Georgia.

Mr. REEDER with Mr. BROUSSARD.

Mr. WACHTER with Mr. COOPER of Texas.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15228) providing for the issue and circulation of national-bank notes, with Mr. LAWRENCE in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15228, and the gentleman from Illinois [Mr. PRINCE] has thirty minutes of his time remaining.

Mr. PRINCE. Mr. Chairman, section 9 of the proposed bill reads as follows:

SEC. 9. That the bank notes taken out for issue in accordance with the provisions of this act shall be redeemed on demand in gold coin over the counter of the bank issuing them, and if said bank is located outside of one of the redemption cities hereinafter established it shall then select a national bank as its agent in a redemption city, subject to the approval of the Comptroller of the Currency, which shall upon demand redeem said notes in gold coin.

Thus it appears that there is a provision made for the redemption of these notes when issued. They are to be redeemed in gold over the counters of the banks issuing them, or at a bank selected in the redemption city where, when the notes of the issue bank are presented, they will be paid or redeemed in gold coin. In other words, these notes become what are regarded as convertible notes into coin. We are now in this country on a single gold standard. Our standard is gold. The other money is kept at a parity with gold. The burden is now placed upon the Government to maintain at a parity all of its money, silver as well as the Treasury notes and certificates at a parity with gold. The burden entails upon the Government the necessity of keeping \$150,000,000 in gold in the Treasury, so as to meet any notes that may

come and exchange them for gold. This bill, if enacted into law, will cast largely the burden upon the banks to get the gold themselves and have it in readiness to convert their own issues into gold when required. The result will be that less gold will be required by the Government to meet the demands of commerce and of trade, and the burden will be cast on the banks to meet these requirements.

In addition to that it will give to us a form of currency which is equal to gold, and I might say that the students of finance look upon it as one of the best kinds of currency that it is possible for the country to have. As it is now, we are confined largely, if we desire to increase our currency, either to the coinage of gold or the issuing of national-bank notes. We have stopped the coinage of silver; we are limited so far as the number of greenbacks are concerned to the issue of three hundred and forty-six millions. Our Treasury notes are being redeemed. I well remember when I came to Congress and was placed upon the Banking and Currency Committee, the Treasury notes amounted to \$90,000,000. I think there are now less than thirty millions—twenty-four millions in round numbers.

These have been gradually redeemed and taken out of circulation; and the public has hardly realized that there has been such a diminution, so far as the volume of currency is concerned. We have enlarged our subsidiary coinage to the extent of some millions. The national-bank circulation has been enlarged about \$126,000,000 within the last six or seven years. So that the sources by which the volume of money in the country can be added to are largely two only: One is the getting of gold, either from the mines and coining it, or from customs dues; the other is by increasing the national-bank note circulation.

According to my recollection, we have added to the volume of our gold currency since 1896 about \$600,000,000. That is, in round numbers, the sum which has been added to the volume of gold in this country within the last six years—\$100,000,000 a year. Then we have added about \$126,000,000 to the volume of currency by reason of the increased circulation of national-bank notes. You might ask me, "Why will not the national banks continue to increase the volume of currency in this country?" The answer is apparent: The banks, in order to issue circulation, must purchase bonds, which cost too much to make the business profitable. The bonds of the Government are at a premium. Some bonds sell for 114, and they sell at various higher figures, some as high as 136.5. That is to say, if you wanted to issue \$100 of currency, you would have to put up \$136 in order to purchase the necessary bonds, and on the currency thus obtained you would not realize enough money as interest to warrant the issue of circulation based upon those bonds. If you should resort to cheaper bonds, they would cost \$108 for each \$100 bond. In other words, in order to issue circulation to the amount of \$100,000 you would have to buy bonds that would cost from \$108,000 to \$136,000.

Now, how much do the national banks make upon their circulation, as shown by the statement of the actuary of the Treasury Department? I have heard it stated that the profit is in the neighborhood of three-fourths of 1 per cent. You may ask, Will they go into this field for the purpose of making only that small amount of money? Yes; measurably so. Why? Because when people have notes or bills to collect, or drafts to send out upon people in the West or the East or the South, the very first thing they look at is their bank directories, and a bank may do considerable business in the way of exchange and commerce by reason of the fact merely that it is "the First National Bank," or "the Second National Bank." People may do business with such a bank by reason of its name, when perhaps they might not do it with another bank; in other words, there may be collaterally some benefit from a bank being called "the First National Bank" or "the Second National Bank." In the way of loans, however, it does not pay a bank to secure circulation by the purchase of bonds in order to engage in this business.

Then the bonds, being at so high a premium, become matters of speculation; and when this great Government of ours, having available cash to the amount of \$220,000,000, wants to call in some of its bonds and pay out the currency, our friends who hold the bonds cease to think of patriotism, and they demand the full limit from those who want to buy bonds, and we have to pay, as the Secretary of the Treasury did within the last year or two, enormous sums in the shape of premium in order to get the bonds and put the money out in the hands of the people.

For more than forty years, during which the national banks have been in existence, the men who have held the bonds of the Government have been reaping profits at the expense of the people. The time has now come when it seems to me we should legislate along lines which will be for the benefit of the people and not in the interest of the men who hold the bonds.

How can the necessary change be brought about? We can issue this currency based to the extent of 25 per cent upon assets. The Secretary of the Treasury has declared in his public report

that such a currency will be sound, that it can pass into universal circulation and will be redeemable over the counters of the banks in gold, the standard of value of the country in which we live. Not only will this currency be redeemable over the counter of the bank issuing it, but, besides, there is this touchstone—its redemption in the redemption cities of the country, so that the money goes back to the bank issuing it and is there redeemed. As I understand the statements of gentlemen who have investigated this question, within seventy or ninety days these notes will come home to the bank that issued them for redemption.

One gentleman on the other side has said that these banks, if they have this form of currency, will make some money. That is true; I concede it. They will make perhaps 3 per cent. They are making now less than 1 per cent. Suppose the banks do make 3 per cent. This will encourage the banks to issue this kind of notes. Then what will be the effect of it? The rate of interest will be brought down, there will be a uniform rate of interest throughout the United States, there will be a lower rate of interest, and the bonds will come down in value, because they will cease to be of special character for the purpose of basing bank notes upon, and they will then be like other bonds in the country, governed by their actual value instead of their speculative value. No harm will come to the people.

I remember distinctly how it was stated by some gentleman on the other side that if we went to a single gold standard on March 4, 1900, gold would go higher, that interest rates would increase, that there was not enough gold in the country to meet the demand, that the world had gone to a single gold standard, and that there would be a shrinkage in value, and a financial crash, and destruction would come to this people. Nearly three years have gone by since that law was enacted in this House. The country has a redundancy of credit and has a large amount of deposits. We have been moving along at a tremendous rate. Using the language of my distinguished colleague, Mr. CANNON, when he speaks upon this floor, we have been going along by "leaps and bounds." We have added six hundred millions of dollars of gold to the volume of our currency in the last six years. Interest is at a lower rate than it ever has been in the history of the country.

Prosperity is everywhere, but there is need in addition to that for this class of currency. It is perfectly safe and perfectly reliable. But you may say to me in answer, perhaps, to the suggestions I have made, or at least those which may run in your minds, if we have added \$600,000,000 of gold; if we have added \$126,000,000 of national-bank notes; if we have added in the neighborhood of \$700,000,000 of money since 1897 to the volume of money in this country, is not that ample to meet the volume of trade? Is not that ample to meet the increase of population in this country? Is not that ample to do the business of this country?

In a measure, I may say, yes; and in another sense I say, decidedly, no. We have increased the amount of our deposits. The amount has trebled. It required, in round numbers, in 1896, less than \$400,000,000 in the reserve, as required by the national-bank act. To-day it requires nearly \$800,000,000 in the reserve to meet the demands of the law in that respect. A large share of the volume of money that has been added in this country since 1896 has been required to meet the demands of depositors under the law in the reserve banks of the United States.

We have grown in volume, and I see it is stated currently in the papers that the internal trade of this great Republic of ours is \$20,000,000,000. Think of it! The great free trade that flows back and forth from Maine to California and from the Lakes on the north to the Gulf on the south represents the enormous sum of \$20,000,000,000—more than all the trade, perhaps, that crosses the ocean in all the international trade of the world. This great Government of ours, with its millions of people, with its great States and with its great interests, has a circulating trade of \$20,000,000,000, and yet we have not increased the tools we need for the purpose of transacting the business of the country. Here is a means of doing this, and it is moving, as has been stated by others before me, along the lines of scientific financial progress. Let me read to you one statement:

Redeemable bank notes are the printed promises of a bank to pay coin of the standard metal on demand to the full face value of the notes. Where such promises are always scrupulously fulfilled, without cost or difficulty for the holder of the notes, and with ample provision for the full payment of the notes in case of the failure of the bank, the redeemable bank note constitutes the most effective auxiliary of coins of the standard metal for carrying on business. It is a form of credit by which the use of coin is economized in the same manner as by the use of checks, deposit accounts, and clearing-house settlements.

Think of the billions of trade in this country. Think of the abrasion and loss to the gold itself by the handling of it in this country. Here is a better way of handling this great problem. Here is a better way for putting the burden of the handling and redeeming of these notes, not on the Government of the United States, where, when they want to export gold, they can come to

the vaults of the United States and get it through the old endless-chain system as they used to do. What are we coming to in effect? We are coming to this, and this is the line upon which I am seeking to move in this bill. We have adopted a single gold standard. We have stopped the further coinage of silver. We are not going to issue any more notes in the form of fiat money like the greenback notes we have in this country. We have been calling in the Treasury notes of the United States, and they soon will be gone.

The national banks will not continue to enlarge their circulation, because it does not pay. Then, what are we coming to? We are coming, then, to a single gold standard, and no other way to enlarge the volume of money in this country except as we proceed along the lines of a currency of this kind, based upon the assets of the banks, and these assets are good. They are reliable, and then the notes, when issued, are redeemable over their own counters in coin. It makes them absolutely as good as gold, and they are gold-bearing notes. Do other countries do what we are seeking to do by this bill?

The issue of redeemable bank notes has been restricted in most European countries by recent laws to a single institution with large capital, like the Bank of France, the Imperial Bank of Germany, the Bank of England, the Bank of Russia, and the Austro-Hungarian Bank; but the power of issue is distributed among a plurality of smaller institutions in Scotland, Switzerland, Canada, and the United States.

Mr. Conant in his article says this:

The ideal currency system, from the standpoint of most scientific students of the subject, is that which combines the single metallic standard with the issue of convertible bank notes. Under such a system, where the standard metal is coined freely and without charge, or with only a nominal charge, upon deposit of the bullion at the mints by any holder of it, the metallic currency of the country is responsive to the influences of the demand for standard metal throughout the world. The money of the standard metal comes and goes according to the state of prices and the rates of interest for capital.

That, in brief, is what we are seeking to do by this legislation, and I am pleased to say that I find my friends upon the other side in their minority report agreeing with the ideas that we seek to convey in this measure.

I have watched with pleasure the tendency of the two sides of this Chamber to get together on great questions. When I first came to this body it took two or three days to discuss the ordinary pension appropriation bill. I remember a great many nights that we used to put in in trying to pass private pension bills. It was a great struggle to get anything done that looked toward pension legislation, special or general. I remember how the giants on each side of this House contended over political questions. But finally I saw a change come over this House. It was on the 8th of March, 1898. I was sitting in my seat. The House was fairly well crowded on that day. I saw my distinguished colleague [Mr. CANNON], soon to be the Speaker of this House [applause], when he came in from his room and addressed the then Speaker of the House, to ask in timely and well-chosen words for the present consideration of an appropriation measure. He asked the House at that time to place in the hands of one man, President McKinley, without ever asking that man to report by vouchers or otherwise to Congress, the sum of \$50,000,000 to prepare for the war with Spain.

When he had ceased speaking, I looked upon the other side of this Chamber to see what, if anything, would be done with reference to that measure. I saw a very distinguished man, Mr. Sayers, of Texas, whose hair was iron gray, who showed some of the marks of age, who had been a very distinguished leader in the Confederate cause in that great fratricidal contest between our people. As that big-brained, splendid man rose in his seat, he addressed the Speaker in well-timed words, asking that that measure be passed, and said that he spoke for his side of the House in giving the assurance that there would be no opposition.

I thought perhaps that was the end of it; but I turned in my seat and looked at a distinguished leader on this side of the Chamber, Mr. GROSVENOR, of Ohio, a man who had fought and won his spurs upon the field of battle, who had won distinction fighting against the other distinguished gentleman in the war from 1861 to 1865. His hair was white. His beard was long and flowing, and as he turned and looked at the gentlemen on the other side, he said: "Thank God I have lived to see this day. I have contended with you gentlemen here in this forum, and with some of you I have contended upon the field of battle. But, thank God, thy servant, like Samuel of old, is ready to depart in peace, for he has seen his country come together, and we have one President, one country, one flag." [Applause.]

From that day to this, Mr. Chairman, I have seen the coming together of these forces. I have seen them come together until it takes only ten or twenty minutes now to pass the pension appropriation bill. I have seen my friend the distinguished leader from New Hampshire [Mr. SULLOWAY] rise here in his seat and in one short afternoon pass 325 pension bills, and my good friend

and colleague the gentleman from Rhode Island [Mr. CAPRON] as fast as his tongue could rattle off the words would announce their favorable consideration, which would be approved by the House and they would become, so far as this House was concerned, the law of the land.

I have seen the military bill of this House discussed for hours and hours along the Philippine policy, but that is now a thing of the past, and the chairman of the committee [Mr. HULL] can, within ten or twenty minutes, pass the military appropriation bill through this House, appropriating from seventy to ninety million dollars, without any opposition on the part of anyone in this body.

So I might go on and enumerate how these forces have been coming together. And it is a splendid thing, because we, my fellow-members, are the representatives of a great people. We ought not to inject our politics into all of these questions. We have moved along splendidly in this Congress, and there is only here and there a little ripple, enough to give a little zest and a little vim to the discussions in this House. As I said before, we have been coming together upon this measure.

It may not meet with the approval of everyone in this House, but let me say to you, using the substance if not the words of the distinguished chairman of the Committee on Banking and Currency [Mr. FOWLER], legislation is compromise. This bill that we have presented to you is the average intelligence, the average judgment, the average sense of the men who compose the Committee on Banking and Currency. We are not wedded to this bill to the extent that we can not see any good in anything else. If there is a gentleman in this House who can present an amendment which will make this bill better, we are ready to receive it. We want to do something for this country. We are not here tenaciously clinging to this measure. We believe that it is the best that can be brought forward, or else we would not have brought it here. Some of us have been studying this question four and six years, and some have been studying it longer.

I confess to my colleagues here in this House that I have changed my views along these lines. When I first entered that committee I would not have thought for a moment that I would ever stand up here and favor an asset currency in the slightest degree; but I have been looking down the line to see what kind of currency we must eventually have in this country. The bonds are being paid off. The bonds are too high in price to issue a circulation upon. There is a demand for something; this is something we offer to you gentlemen of the committee. If you have anything better, do not sit in your seats and refuse to give it to us, because you are individually responsible as well as we are for legislation in this House. No man can shirk his duty by saying he does not like this bill.

If you do not like the bill, improve it. You represent American constituencies, as we do. You represent people who want better currency, and you should join with us and make it better. We call upon you to do that; we ask you to act with us on the lines we are moving on. We are doing the best we know. It is the best light we have. We offer it to you, believing it to be the best, and we trust and hope that gentlemen on the other side who have agreed with us on the lines we are pursuing will vote with us and pass this bill through this House. [Loud applause.]

Mr. FOWLER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16228, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. TAYLOR of Alabama, for one day, on account of important business.

To Mr. SUTHERLAND, for four days, on account of important business.

To Mr. LEVER, for one day, on account of important business.

NEW DIVISION OF EASTERN JUDICIAL DISTRICT OF TEXAS.

The SPEAKER laid before the House the bill (H. R. 17088) to create a new division of the eastern judicial district of Texas, and to provide for terms of court at Texarkana, Tex., and for a clerk for said court, and for other purposes, with a Senate amendment, which was read.

Mr. SHEPPARD. Mr. Speaker, I move to take up the bill and concur in the Senate amendment.

The SPEAKER. The gentleman from Texas moves concurrence in the amendments of the Senate.

The motion was agreed to.

SENATE BILL AND RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following resolution and bill of the following title were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution 70:

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound 1,500 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., relating to Indian Affairs," 50 of which shall be for the use of the Senate Committee on Indian Affairs, 50 for the use of the House Committee on Indian Affairs, 100 for the use of the Senate, 400 for the House of Representatives, 100 for the Commissioner of Indian Affairs, and the remaining 800 shall be sold by the Superintendent of Documents.

—to the Committee on Printing.

S. 7307. An act to provide certain souvenir medallions for the benefit of the Thomas Jefferson Memorial Association of the United States—to the Committee on Coinage, Weights, and Measures.

Mr. FOWLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

Memorandum from the Secretary of War, transmitting petition of Army officers for passage of bill (H. R. 6648) conferring jurisdiction upon the Court of Claims over claims of certain officers for arrearages of longevity pay—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting the report of the commission authorized to secure a grant for the erection of a post-office building in the city of New York—to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 13500) for the establishment of a light-house and a fog signal at Isle au Haut, Maine, reported the same with amendment, accompanied by a report (No. 3853); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GREENE of Massachusetts, from the Committee on the Merchant Marine and Fisheries, to which was referred the joint resolution of the House (H. J. Res. 266) providing for a joint commission to investigate the policy of international navigation, reported the same with amendments, accompanied by a report (No. 3854); which said joint resolution and report were referred to the House Calendar.

Mr. WARNER, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 5732) establishing a regular term of United States district court in Lewisburg, W. Va., reported the same with amendment, accompanied by a report (No. 3856); which said bill and report were referred to the House Calendar.

Mr. OLMSTED, from the Committee on Elections No. 2, to which was referred the contested-election case of George C. R. Wagoner v. James J. Butler, from the Twelfth Congressional district of Missouri, reported the same, accompanied by a report (No. 3857); which said report was referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3239) granting a pension to John Q. Lane, reported the same without amendment, accompanied by a report (No. 3855); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. JONES of Washington: A bill (H. R. 17503) authorizing and empowering the Secretary of War to locate a right of way for and granting the same, and a right to operate and maintain a line of railroad through the Vancouver Barracks and Military Reservation, in the State of Washington, to the Northern Pacific Railway Company—to the Committee on Military Affairs.

By Mr. FLYNN: A bill (H. R. 17504) to appropriate the sum of \$50,000 to erect a public building at Enid, Okla.—to the Committee on Public Buildings and Grounds.

By Mr. DAVIDSON: A joint resolution (H. J. Res. 278) authorizing and directing the Secretary of War to cause a survey and examination to be made of the embankment on the west shore of Lake Manitowoc, Wis.—to the Committee on Rivers and Harbors.

By Mr. GRAHAM: A resolution (H. Res. 464) authorizing the employment of four bicycle messengers during the last ten days of this session—to the Committee on Accounts.

By Mr. FLANAGAN: A resolution (H. Res. 465) to pay Norwood G. Salmon as clerk to the late Representative J. S. Salmon—to the Committee on Accounts.

By Mr. FOWLER: A resolution (H. Res. 467) for the further consideration of H. R. 16238—to the Committee on Rules.

By Mr. EDWARDS: A resolution of the legislature of Montana, relating to certain forest reserves—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HEPBURN: A bill (H. R. 17505) granting an increase of pension to Charles C. Hardy—to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 17506) granting an increase of pension to James Duffy—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL: Resolutions of the convention of Western Retail Implement and Vehicle Dealers' Association, in Kansas City, Mo., favoring the extension of reciprocity—to the Committee on Ways and Means.

By Mr. BULL: Petition of Brown & Sharpe Manufacturing Company, Providence, R. I., in favor of House bill 15368, amending the customs-drawback law—to the Committee on Ways and Means.

By Mr. BURKETT: Petition of citizens of Pawnee County, Nebr., for the purchase by the Government of the birthplace of Abraham Lincoln—to the Committee on Appropriations.

Also, petition of Dr. C. S. Barnes, of Burr, Nebr., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. CALDERHEAD: Resolutions of the convention of the Western Retail Implement and Vehicle Dealers' Association, in Kansas City, Mo., for the extension of reciprocal trade arrangements with other countries—to the Committee on Ways and Means.

By Mr. CURTIS: Resolutions of the convention of the Western Retail Implement and Vehicle Dealers' Association, in Kansas City, Mo., for the extension of reciprocal trade relations with other countries—to the Committee on Ways and Means.

By Mr. DARRAGH: Resolutions of Licensed Tugmen's Association, No. 10 Charlevoix, Mich., favoring the repeal of sections 44 and 49, Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

By Mr. FITZGERALD: Resolutions of Democratic central committee of New Mexico, urging the passage of the so-called "omnibus statehood bill"—to the Committee on the Territories.

By Mr. FLANAGAN: Petition of citizens of Blairstown, N. J., against repeal of the anticanteen law—to the Committee on Military Affairs.

By Mr. GROSVENOR: Petition of leading tobacco dealers in the principal cities of the United States protesting against the passage of House bill 16457, relating to gifts in connection with the sale of tobacco and cigars—to the Committee on Ways and Means.

By Mr. HAMILTON: Petition of soldiers of Gobleville, Mich., in support of House bill 17103, relative to homestead rights to public lands—to the Committee on the Public Lands.

By Mr. JENKINS: Remonstrance of Kate Scritsmier and 21 others, of Apollonia, Wis., against the passage of House bill No. 12002, amending section 4386 of the Revised Statutes of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. LONG: Resolutions of the convention of Western Retail Implement and Vehicle Dealers' Association, of Kansas City, Mo., in support of the extension of reciprocity—to the Committee on Ways and Means.

Also, paper to accompany House bill 17350, granting a pension to Lottie Bryant—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: Resolutions of Packer Lodge, No. 85, Brotherhood of Railroad Trainmen; Division No. 147, Order of Railway Conductors; Onoka Lodge, No. 211, Brotherhood of Locomotive Firemen, all of Easton, Pa., in favor of the passage of the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Grand Council, Royal Arcanum, of Pennsylvania, favoring an amendment to the Post-Office appropriation bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Cigar Makers' Union No. 466, of Easton, Pa., favoring House bill 16457, relating to gifts in connection with the sale of tobacco and cigars—to the Committee on Ways and Means.

By Mr. SHALLENBERGER: Resolution of Brotherhood of Locomotive Engineers, Division No. 88, of North Platte, Nebr., favoring Senate bill 3560, known as the Foraker safety-appliance bill—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill granting an increase of pension to James Duffy—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Jesse Clark—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: Petition of Wallace Post, No. 95, Department of Michigan, Grand Army of the Republic, favoring the Hamilton bill relating to homestead rights to public lands—to the Committee on the Public Lands.

By Mr. SULZER: Resolutions of the Democratic central committee of New Mexico, held at Santa Fe, urging the passage of the pending statehood bill—to the Committee on the Territories.

Also, resolutions of the Department of New York, Grand Army of the Republic, urging the passage of House bill 14105, giving preference to honorably discharged war veterans in appointments—to the Committee on Reform in the Civil Service.

SENATE.

WEDNESDAY, February 25, 1903.

The Senate met at 11 o'clock a. m.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

ESTIMATES OF APPROPRIATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, submitting additional supplemental estimates of appropriation required for the several departments of the Government to complete the service for the fiscal year ended June 30, 1903, and for prior years, for the postal service, amounting to \$59,648.81, and for the postal service payable from the postal revenues, amounting to \$4,696.70; which, on motion of Mr. ALLISON, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

CHIEF OF DIVISION, GENERAL LAND OFFICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting an estimate of appropriation for one additional chief of division in the General Land Office from March 1, 1903, to June 30, 1904, at \$2,000 per annum, \$2,672.20; which was referred to the Committee on Appropriations, and ordered to be printed.

CLAIMS OF CONFEDERATE OFFICERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of additional appropriation of \$50,000 for claims for property taken from Confederate officers and soldiers after surrender, under the act of February 27, 1902, etc.; which, with the accompanying papers,

was referred to the Committee on Appropriations, and ordered to be printed.

PRIZE MONEY, BATTLE OF MANILA BAY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Attorney-General submitting an estimate of appropriation to satisfy the decree ordered by the Supreme Court of the United States to be entered in accordance with the opinion of February 23, 1903, by the supreme court of the District of Columbia in the case of George Dewey, Admiral, United States Navy, v. the *Don Juan de Austria*, No. 559, \$946,083.89; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

SECURITIES OF INTERSTATE RAILROAD COMPANIES.

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of February 28, 1901, certain information relative to the stock, bonds, car-trust certificates, etc., of each railroad company subject to the provisions of the act to regulate commerce; which, with the accompanying papers, was referred to the Committee on Interstate Commerce, and ordered to be printed.

JOSEPH A. SMITH.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Joseph A. Smith v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ALBERT C. ENGARD.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Albert C. Engard v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ANNIE A. HAXTUN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Annie A. Haxtun, executrix of Milton Haxtun, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

GEORGE A. LYON.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of George A. Lyon v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

JOHN GASKINS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of John Gaskins v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

SARAH M. BENNETT.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Sarah M. Bennett v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

CONWAY H. ARNOLD.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Conway H. Arnold v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

WILLIAM A. WINDSOR.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of William A. Windsor v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.